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9018 assembly, 1887

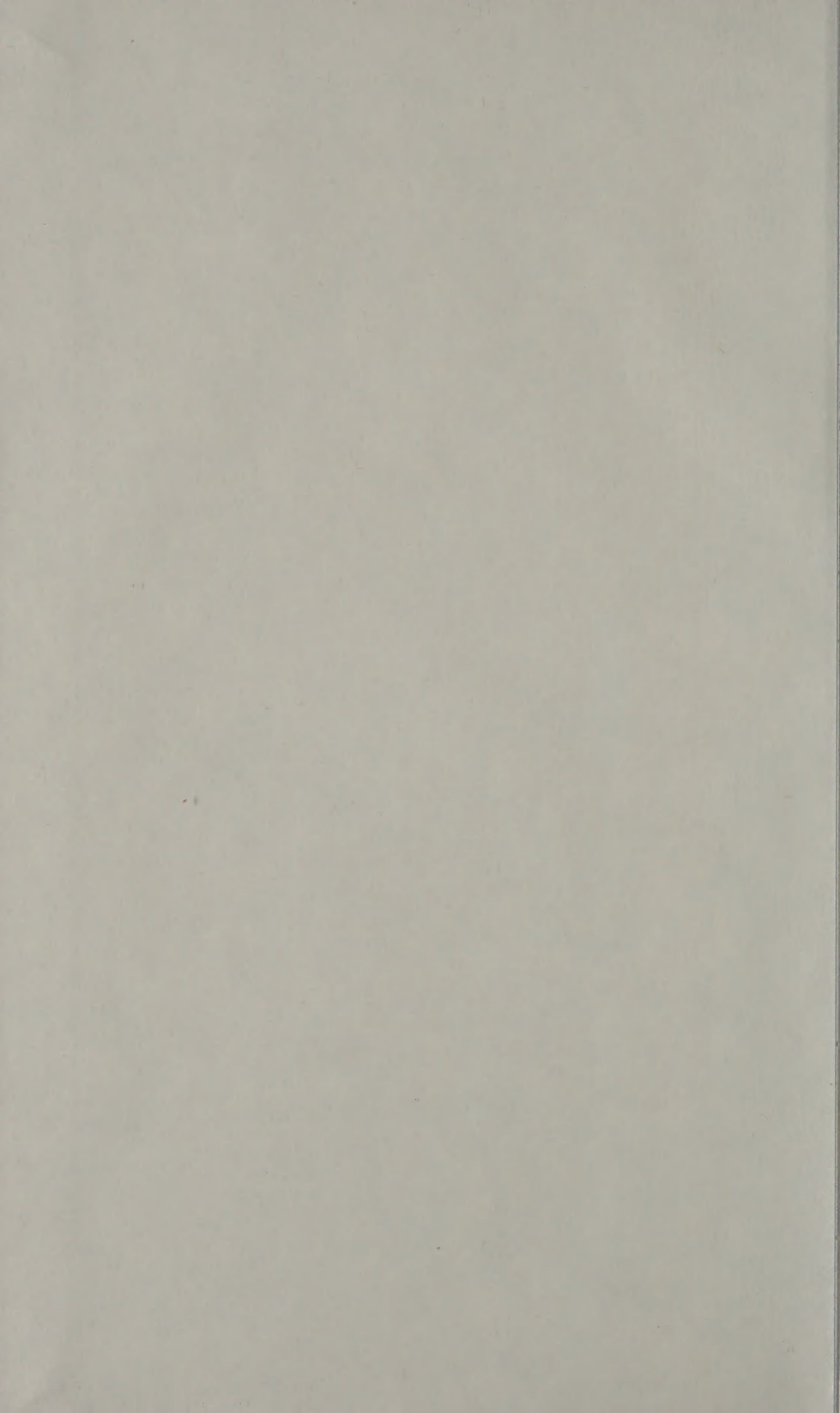
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MONTANA LEGISLATIVE ASSEMBLY

HOUSE JOURNALS
OF THE
Fifteenth Regular
AND
Extraordinary Sessions
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF MONTANA

Begun at Helena, the Capital of said Territory, on the 10th day of January 1887, and concluded on the 10th day of March 1887. Extraordinary Session begun on the 29th day of August 1887 and concluded on the 14th day of September 1887.

F. K. ARMSTRONG
Speaker of the House

David Marks
Chief Clerk of the House

Harry Rodgers
Enrolling and Engrossing Clerk

Samuel Alexander
Sergeant at Arms

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HOUSE JOURNAL

OF THE

Fifteenth Session

OF THE

Legislative Assembly

OF THE

TERRITORY OF MONTANA

Begun at Helena, the Capital of said Territory,
on the 10th day of January 1887,
and concluded on the 10th day
of March 1887

Note: In transcribing this Journal from the original handwritten copy certain grammatical and spelling changes were made for uniformity. The original Journal remains on permanent file in the office of the Secretary of State.

GOVERNOR.....SAMUEL T. HAUSER
February 8, 1887 Replaced by.....PRESTON H. LESLIE

MEMBERS OF THE FIFTEENTH LEGISLATIVE ASSEMBLY

House of Representatives

Names of Members	Counties Represented	Postoffices
Alderson, W. W.....	Gallatin	*
Armstrong, F. K., Speaker ..	Gallatin	*
Blake, H. N.....	Madison	*
Brown, Lawrence A.....	Beaverhead	Dillon
Buskett, John W.....	Jefferson & Lewis and Clarke.....	Helena
Gorham, T. L.....	Lewis and Clarke	Cascade
§ Hanscom, C. W.....	Silver Bow	Butte
Harwood, E. N.....	Yellowstone.....	Billings
Hoffman, C. W.....	Gallatin	Bozeman
Holt, J. M.....	Custer	Miles City
Johnson, E. H.....	Custer	Miles City
Kanouse, J. E.....	Meagher	Townsend
Mantle, Lee.....	Silver Bow	Butte
Marshall, Thos. A.....	Missoula.....	*
Muth, William.....	Lewis and Clarke.....	Helena
Page, James M.....	Beaverhead and Madison	Twin Bridges
Scobey, C. R. A.....	Dawson	*
Spaulding, Harrison	Missoula.....	*
Taylor, Jesse F.....	Choteau	Choteau
Thompson, Wm.....	Silver Bow	Butte
Titman, Jacob.....	Meagher.....	*
Toole, John R.....	Deer Lodge	*
White, M. W.....	Deer Lodge	*
Wilson, Enoch	Jefferson	*

Subordinate Officers

David Marks.....	Chief Clerk
Harry Rodgers	Enr. and Eng. Clerk
Samuel Alexander.....	Sergt. at Arms

(Cont. on following page)

Council

Names of Members	Counties Represented	Postoffices
Batchelder, George L.....	Beaverhead.....	Bannack
Cardwell, Ed	Jefferson.....	Cold Springs
Collins, T. E.	Choteau	Great Falls
Hickman, Richard O.....	Madison	*
Holliday, S. L.	Gallatin	Bozeman
Hundley, Wm. B.	Lewis and Clarke.....	Helena
Kennedy, Will	Missoula.....	Missoula
Pardee, J. K.	Deer Lodge	*
Rickards, J. E.....	Silver Bow	Butte
Sutherlin, W. H.	Meagher.....	White Sulphur Springs
Thompson, J. J.	Custer.....	*
(Resigned: W. H. Burleigh el.).....		*
Waters, Ela C.....	Dawson and Yellowstone.....	*

Subordinate Officers

Reuben L. Davis.....	Chief Clerk
Hartford D. Arkwright.....	Enr. and Eng. Clerk
Matthew McGuirk.....	Sergt. at Arms

§Appears in Journal as Hanscomb

*Not Available

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HOUSE JOURNAL

OF THE

Fifteenth Legislative Assembly

OF THE

Territory of Montana

FIRST DAY

House of Representatives
January 10th, 1887

Pursuant to an act of the Fourteenth Legislative Assembly entitled, "An act to provide for the organization of the Legislative Assembly," Honorable Joseph P. Woolman, Territorial Auditor, at the hour of 12, m., called the House of Representatives of the Fifteenth Legislative Assembly to order.

Lee Mantle of Silver Bow County was appointed as Chief Clerk, pro tem.

Members were invited to present certificates of election, were sworn by Chief Justice, Decius S. Wade, and subscribed to the following oath:

Territory of Montana,)
) SS.
County of Lewis and Clarke.)

The undersigned, being first duly sworn, each for himself, and not one for another, deposes and says:

I do solemnly swear that I will support, protect and defend, the Constitution of the United States, and the Organic Act of the Territory of Montana, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election, except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Territory, or procured it to be done by others in my behalf; that I will not knowingly receive directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, so help me God. — Hanscomb, C. W.; Mantle, Lee; Thompson, William; Alderson, W. W.; Harwood, E. N.; Muth, William; Toole, J. R.; Armstrong, F. K.; Hoffman, C. W.; Page, J. M.; White, M. W.; Blake, H. N.; Holt, J. M.; Scobey, C. R. A.; Wilson, Enoch; Brown, L. A.; Johnson, E. H.; Spaulding, Harrison; Buskett, J. W.; Kanouse, J. E.; Taylor, J. F.

On motion of Muth the House adjourned until 10 a. m. tomorrow.

Lee Mantle
Chief Clerk, pro tem.

SECOND DAY

House of Representatives
January 11th, 1887

House met pursuant to adjournment at 10 o'clock a.m., Territorial Auditor Joseph P. Woolman in the Chair. Roll called. Quorum present. Journal of yesterday read and approved.

Thomas L. Gorham of Lewis and Clarke, Thomas C. Marshall, of Missoula, and Jacob Titman, of Meagher, having presented their certificates of election and being duly sworn, were placed upon the list of members of the House.

The House proceeded to the election of officers. Nominations for the office of Speaker were declared to be in order. Page placed the name of H. N. Blake, of Madison County, and Kanouse nominated Frank K. Armstrong of Gallatin County. The ballot resulted in Armstrong receiving 14 votes and Blake receiving 10 votes. Armstrong having received a majority of all votes cast was declared duly elected Speaker of the House. The Chair appointed Blake and Kanouse as a Committee to escort Mr. Armstrong to the Chair.

Muth and Harwood were appointed as tellers.

For the office of Chief Clerk, Toole placed David Marks and Blake placed J. W. Markley in nomination. Marks having received 14 votes and Markley 10, he was declared duly elected.

For Enrolling and Engrossing Clerk, Harry Rodgers was nominated by Marshall, and William F. Wheeler by Spaulding. Rodgers received 14 votes and Wheeler 10. Rodgers was declared elected.

For Sergeant-at-Arms Muth placed Samuel Alexander in nomination, and J. M. Knight was placed in nomination by Page. Alexander having received 14 votes, and Knight 10, he was declared elected.

For Messenger Muth placed Arthur J. Pelletier in nomination, and Page nominated Frank Cochran. Pelletier received 15 votes and Cochran received 9 votes. Pelletier was declared elected.

For Watchman the nomination of Benjamin D. Stone was made by Buskett, and Robert Merriman by Page. Stone received 15 votes, Merriman 8 and blank 1. Stone was declared elected.

For Chaplain, Marshall placed Reverend R. F. Beasley in nomination and Page nominated Reverend C. B. Allen, Jr. Beasley received 14 votes, Allen 9 and Zimmerman 1. Reverend Mr. Beasley was declared elected.

A committee of the Council appeared upon the floor and presented the following communication:

Mr. Speaker: The undersigned, a committee appointed by the Council for the purpose, beg leave to inform you that the Council has been duly organized and is ready for business; and that the following have been elected as officers of the Council, to wit:

President - Honorable Richard O. Hickman;
Chief Clerk - Reuben L. Davis;
Enrolling and Engrossing Clerk - H. D. Arkwright;
Sergeant-at-Arms - Matt McGuirk;

Watchman - B. F. Hooper;
 Messenger - George W. Faust.

The Committee is also directed to request your body to appoint a committee to act with it in notifying the Governor of the Territory that the Legislative Assembly is now organized and ready for business.

Will Kennedy
 W. B. Hundley
 Committee

The Chief Clerk was instructed to accompany the various other subordinate officers elected, to the office of the Governor for the purpose of being sworn, and subscribing to the oath of office.

On motion of Blake the House adjourned until 2 p.m.

Two o'clock p.m. House resumed. Mr. Speaker in the Chair. Roll called - quorum present.

Blake presented the following resolution, which upon motion, was adopted.

"Resolved. - That a committee of two be appointed by the Chair to proceed to the hall of the Council and inform that body that the House has organized by the election of the following officers, to wit:

Speaker - Frank K. Armstrong;
 Chief Clerk - David Marks;
 Enrolling and Engrossing Clerk - Harry Rodgers;
 Sergeant-at-Arms - Samuel Alexander;
 Watchman - Benjamin D. Stone;
 Messenger - Arthur J. Pelletier;
 Chaplain - R. F. Beasley;

and that the House is now ready to proceed with the business of the session."

Blake

The Chair, in conformity with the resolution appointed Blake and Hoffman.

The following resolution was presented:

"Resolved. - That the rules of the House of the 14th session be adopted as the rules of this body until otherwise ordered."

Kanouse

Alderson moved to amend that the rules be adopted temporarily. The resolution as amended was adopted.

The following report was received:

Mr. Speaker: Your committee, appointed to wait upon the Council and inform that body that this House is organized and ready to proceed with the business of the session, beg leave to report that they have performed that duty.

Henry N. Blake
 C. W. Hoffman

On motion the Chair appointed a committee of three, consisting of Marshall, Page and Toole to act, in conjunction with a like committee of the Council, to wait upon the Governor and inform him that both

Houses had organized and awaited any communication he might wish to make.

On motion the Chair appointed Blake, Kanouse and Brown to prepare rules for the government of the House.

On motion of Kanouse the House took a recess for ten minutes. Resumed.

The following report was received:

Mr. Speaker: Your Committee appointed to provide rules for the government of this House have performed the duty assigned them, and respectfully recommend the adoption of the following:

RULES

of the

15th Legislative Assembly

MONTANA TERRITORY

HOUSE OF REPRESENTATIVES

No. 1 - Speaker. The Speaker shall take the Chair at the time to which the House stands adjourned, and the House shall then be called to order, the roll called, and the names of absentees shall be entered upon the journal of the House. In case the Speaker is absent, or fails from any cause to take the chair, the House shall appoint a speaker pro tem.

No. 2 - Quorum. Upon the appearance of a quorum the journal of the preceding day shall be read by the Clerk and any mistakes therein may be corrected by the House.

No. 3 - Order. The Speaker shall preserve order and decorum and shall decide questions of order, subject to an appeal to the House.

No. 4 - Speaker Shall Vote. The Speaker shall vote on all questions taken by yeas and nays (except upon appeals from his own decision), and in all elections and divisions called for by any member.

No. 5 - Members Shall Remain Seated. When the House adjourns members shall keep their seats until the Speaker announces the adjournment.

No. 6 - Proper Decorum. Every member previous to speaking, shall rise from his seat, and respectfully address himself to the Speaker.

No. 7 - Two or More. When two or more members rise at once the Speaker shall designate the member who is first to speak, but in all other cases the member who shall first rise and address the Chair shall speak first.

No. 8 - Not to Speak More Than Twice. No member shall speak more than twice on the same subject, without leave of the House, nor more than once until every member, choosing to speak on the question pending, shall have spoken.

No. 9 - Motion to be Seconded. No motion shall be debated or put unless the same shall be seconded. It shall be stated by the Speaker and any such motion shall be reduced to writing if the Speaker or any member shall desire it.

No. 10 - Motion in Possession of the House. After any motion shall be stated by the Speaker it shall be in possession of the House, but may be

withdrawn at any time before amendment or decision; but all motions, resolutions or amendments shall be entered upon the journal whether they are rejected or adopted.

No. 11 - Debate. When a question is under debate no motion shall be received, except: 1st. To adjourn. 2nd. To lay on the table. 3rd. For the previous question. 4th. To postpone to a day certain. 5th. To commit to a standing committee. 6th. To commit to a select committee. 7th. To amend. 8th. To postpone indefinitely. And these several motions shall have the precedence in the order in which they stand arranged, and a call of the House may be made by a demand of two members.

No. 12 - Adjournment. A motion to adjourn shall always be in order, except when a member is addressing the Chair, or a vote is being taken; that, and the motion to lay upon the table, shall be received without debate.

No. 13 - Previous Question. The previous question shall be in this form: "Shall the Main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to the debate, and bring the House to a direct vote upon the amendments reported by a committee, if any, upon pending amendments, and then upon the main question.

On a motion for the previous question, and prior to the seconding of the same, one call of the House shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

No. 14 - Same. When, on taking the previous question, the House shall decide that the main question shall not now be put, the main question shall remain as the question before the House, in the same stage of proceedings as before the previous question was made.

No. 15 - Incidental Questions. All incidental questions of order, arising after a motion is made for the previous question during the pending of such motion, or after the House shall have determined that the main question shall now be put, shall be decided, whether on appeal or otherwise, without debate.

No. 16 - Petitions. Petitions, memorials, and other papers addressed to the House shall be presented by the Speaker, or by a member in his place.

No. 17 - Voting. Every member who shall be present before the vote is declared from the Chair, and no other, shall vote for or against the same, unless the House shall excuse him; or unless he is immediately interested in the question, in which case he shall not vote.

No. 18 - When the Question is Being Put. When the Speaker is putting the question, no member shall walk out of or across the hall; nor when a member is speaking shall any person entertain any private discourse, or pass between him and the Chair.

No. 19 - Several Points. If the question in debate contains several points, any member may have the same divided.

No. 20 - Members Called to Order. A member called to order shall immediately sit down, unless he desires to explain, after which he shall take his seat until the point of order be decided by the Chair, which shall be final, unless the member desires to appeal, in which case he shall have the right to arise and ask the Chair to put his motion to the House, whose duty it shall be to immediately comply; and the question shall be: "Shall the decision of the Chair be sustained?"

No. 21 - Introduction of Bills. Every bill shall be introduced by a motion for leave, or by an order of the House, or on a report of a committee; and one day's notice at least shall be given of a motion for leave to bring in a bill, unless two-thirds of the members present shall vote in favor of its being brought in without such previous notice.

Every notice for leave to bring in a bill (and every notice to bring in a bill), shall be in writing and shall contain the title of the bill.

No. 22 - Bills Endorsed. Every bill, before being introduced, shall have endorsed thereon the title of the same, and every bill and resolution shall have thereon the name of the member introducing it; and when ordered by a committee the name of such committee shall be endorsed thereon.

No. 23 - Bills to be Read. All bills, memorials or joint resolutions shall be read at length for the first time for information, and if opposition be made to it the question shall be: "Shall this bill be rejected?" If no opposition be made, or if the motion to reject be lost, the bill shall go to its second reading without a question.

No. 24 - Second Reading. All bills, memorials or joint resolutions, on their second reading shall be read by their title, and the question taken up on their commitment, amendment, or engrossment for a third reading.

No. 25 - Third Reading. All bills, memorials or joint resolutions, on their third reading shall be read at length, and no amendments shall be in order except by unanimous consent of the House.

No. 26 - Second and Third Readings. All bills shall be read three times before their final passage, and may be read twice on the day of presentation, unless otherwise ordered; and no bill shall be passed unless it shall have been read once at length.

No. 27 - No Amendment. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment; no bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

No. 28 - Committee of the Whole. In forming a Committee of the Whole House, the Speaker shall appoint a Chairman to preside.

No. 29 - Bills committed to the Committee of the Whole House shall, in the Committee of the Whole thereon be first read through, unless the Committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered.

All amendments shall be made in writing, and reported to the Committee by the Chairman.

No. 30 - Questions in Committee of the Whole. All questions whether in Committee or in House, shall be put in the order in which they are moved, except in cases of privileged questions, and in filling up blanks, when the largest sum and the longest time shall be first put.

No. 31 - Same Mode. A similar mode of proceeding shall be observed with bills which have originated in and passed the Council as with bills originating in the House, except they shall not be printed.

No. 32 - Reconsideration. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be reconsidered took place, nor unless one of the majority shall move such reconsideration.

No. 33 - Motion to Reconsider. When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill or joint resolution until after the time during which said motion can be made, unless the same can previously be disposed of.

No. 34 - Who Shall Move for a Reconsideration. Any member that votes on that side of a question which prevailed, may be at liberty to move a reconsideration, and a motion for reconsideration shall be decided by a majority of votes.

No. 35 - When Lost. In all cases when the House shall be equally divided the question shall be lost, except appeals from the decision of the Chair.

No. 36 - House Rules Observed in Committee of the Whole. The rules of the House shall be observed in Committee of the Whole House so far as may be applicable, except that yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited.

No. 37 - Committee Rise. A motion that the Committee rise shall always be in order, and shall be decided without debate.

No. 38 - Standing Committees. Standing Committees consisting of three or five members each, at the option of the Speaker shall be appointed on the following subjects:

1. Ways and Means;
2. Judiciary;
3. Territorial Affairs;
4. Internal Improvements;
5. Roads and Highways;
6. Public Lands;
7. Grazing and Stock Growing;
8. Federal Relations;
9. Education and Labor;
10. Towns and Counties;
11. Military Affairs;
12. Incorporations;
13. Agriculture and Manufacture;
14. Elections;
15. Indian Affairs;
16. Mines and Minerals;
17. Engrossment;
18. Enrollment;
19. Printing.

No. 39 - Engrossment. The Committee on Engrossment shall examine all bills after they are engrossed, and report the same to the House (correctly engrossed) before the third reading. Said committee may report at any time.

No. 40 - Enrollment. The Committee on Enrollment shall examine all House bills and joint resolutions which have passed the two Houses, and when reported correctly enrolled, they shall be presented to the presiding officer of the Council and House for their signatures, and when so signed to go to the Governor for his approval. Said committee may report at any time.

No. 41 - Select Committees. Select Committees to whom reference shall be made, shall, in all cases, report a state of facts and their opinion thereon to the House.

No. 42 - In cases where a bill, order, resolution or motion shall be entered on the journal of the House, the name of the member moving the same shall be entered on the journal.

No. 43 - Clerk to Make a List of All Bills. The Speaker of the House shall cause the Clerk of the House to make a list of all bills, resolutions, reports of Committees and other proceedings of the House which are committed to a Committee of the Whole House, and which are not made the order of the day for any particular day, and to number the same, which list shall be called "the general order of the day," and they shall be taken up in the order in which they are numbered, unless otherwise ordered by two-thirds of the House; and the Clerk shall also keep a book showing the situations and progress of bills.

No. 44 - Speaker to Announce the Order of the Day. On the meeting of the House after the reading of the journal of the preceding day, the order of business of the day shall be as follows:

1. Presentation of Petitions;
2. Reports of Standing Committees;
3. Reports of Select Committees;
4. Notices;
5. Introduction of Bills;
6. Motions and Resolutions;
7. Consideration of Messages from the Council;
8. Reading of House Bills, Resolutions and Memorials;
9. Third Reading of the Same;
10. Third Reading of the Council Bills;
11. Consideration of the General Orders;
12. Unfinished Business.

No. 45 - Several Motions. Whenever any report of any Committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

No. 46 - General Orders. When the House has arrived at the general order of the day they shall go into Committee of the Whole upon such orders, or particular order designated by a vote of the House, and no other business shall be in order until the whole are considered, or pass, or the Committee rise. And, unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass upon the general orders, according to the order of their reference.

No. 47 - Speaker to Leave the Chair. The Speaker may leave the Chair and appoint a member to preside, but not for a longer time than one day, except by leave of the House.

No. 48 - Parliamentary Practice. The rules of parliamentary practice embraced in Jefferson's Manual shall govern the House in all cases when they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and the joint rules and orders of the House and Council.

No. 49 - The privileges of the floor of the House are hereby accorded:

First To the Governor.

Second To the Members of the Council.

Third To the Chief Justice; and Associate Justices of the Supreme Court.

Fourth To the Secretary and other Territorial Officers;

Fifth To the Executive, Judicial and Legislative Officers of other States, Territories and Counties.

Sixth To the Officers of the Legislative Council.

Seventh To the Secretary of the Governor.

Eighth To the former Members of the House of Representatives.

Ninth To one representative of each of the Territorial newspapers, to be designated by the proprietors thereof.

Tenth To such persons as by name have received thanks of the two Houses of the Legislative Assembly.

Eleventh To members of the late Constitutional Convention and Ex-Secretaries of the Territory.

No. 50 - Time of Meeting. The hour of the daily meeting of the House shall be 10 o'clock in the morning until the House directs otherwise.

No. 51 - Yeas and Nays. The yeas and nays shall not be ordered unless demanded by two members, except on the final passage of the bills, joint resolutions and resolutions making appropriations of money, in which case the yeas and nays shall be made without demand.

No. 52 - Printed. All House bills of a general nature, shall, after their second reading, be printed without special order from the House.

No. 53 - Memorials to Congress. All memorials to Congress, or to any officer, or authority of the government, after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House and President of the Council, and forthwith transmitted by the Chief Clerk of the respective Houses in which they originated, to the President of the Senate, to the Speaker of the House of Representatives in Congress, and to the authority memorialized, and a copy to our Delegate in Congress.

No. 54 - Titles and Reports of Proceedings. Titles of bills introduced in the House shall be as brief as possible, indicating substantially the purport of the same; and all proceedings of the House wherein action is taken upon bills, resolutions and motions, shall be kept by the Clerk in full, upon the journal; in all cases giving the title of each bill or resolution. But the second and all subsequent references shall be complete where such

bill or resolution is referred to by its number. The substance of each motion shall be given, when reference is made to the same, and all resolutions offered shall appear in full upon the journal.

No. 55 - Suspend, Alter or Amend. No rule of the House shall be suspended, altered or amended without the concurrence of two-thirds of the members present.

Henry N. Blake
J. E. Kanouse
Lawrence A. Brown

On motion of Alderson the Chair appointed a committee of three, consisting of Alderson, Holt and Buskett, to act in conjunction with a like committee of the Council for the purpose of drafting rules for the government of both branches of the Fifteenth Legislative Assembly.

On motion of Blake the House took a recess for ten minutes. Resumed.

The following report was received:

Mr. Speaker: We, your Joint Committee, appointed to notify the Governor that the Fifteenth Legislative Assembly was duly organized and ready to receive any communication, would most respectfully report that we have performed that duty.

Will Kennedy
W. B. Hundley
Committee for Council

Thos. C. Marshall
J. R. Toole
J. M. Page
Committee for the House

On motion of Alderson the House adjourned until 10 o'clock, a.m. tomorrow.

David Marks
Chief Clerk

THIRD DAY

House of Representatives
January 12th, 1887

House met, pursuant to adjournment, at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of second day, read, corrected and approved.

The following communication from his Excellency, the Governor, was received:

Territory of Montana
Executive Department
Helena, January 12, 1887

To the House of Representatives:

Gentlemen:

I have appointed Mr. Hervey Barbour my Private Secretary.

Very Respectfully,

S. T. Hauser
Governor

The following message was received:

Executive Department,)
)
Territory of Montana.)

Helena, January 10th, 1886
(sic)

Gentlemen of the Council and House of Representatives:

After an interval of two years of steady and general growth and prosperity in our territory, you have assembled as legislators, charged with the difficult and responsible duty of enacting such legislation within the range of your restrictive powers as shall best promote the interest of all of the people of Montana.

The provisions of the restrictive act, entitled "An act to prohibit the passing of local and special laws in the territories of the United States to limit territorial indebtedness," approved July 30, 1886, are so sweeping as to confine your legislative powers almost exclusively to the passage of general laws. This imposes on you the difficult duty, which should not be delayed, of enacting such general laws as will meet recognized special needs in various localities.

FINANCIAL AND GENERAL PROSPERITY

Development has served to continually increase confidence in the value and permanence of our gold, silver and copper mines, so that capital is being year after year more confidently invested in such properties and the appliances for the treatment of ores. Large deposits of coal have materially added to the mineral resources of the territory; our stock interests have largely increased in importance; the value of our agricultural industries have been greatly enhanced; our population has grown rapidly, until it is now estimated at over 150,000, while our assessed valuation

is reported at \$55,076,871.53. Add to this the value of our mines, which are not assessed, and the amount will reach \$100,000,000.00.

CONDITION OF THE TREASURY

The following condition of the treasury is shown by the tables of the auditor for the two years ending December 31, 1886:

Total receipts for the two years, ending	
Dec. 31, 1886.....	\$334,132.61
Balance in the treasury January 1, 1885.....	5,237.59

Total	\$339,370.20
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Disbursements for the two years, ending	
Dec. 31, 1886.....	\$282,101.02

Balance in the treasury Jan. 1, 1887.....	57,269.18
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The receipts into the treasury were from the following sources, to wit:

From license and property tax.....	\$328,389.97
From insurance fees.....	2,800.00
From fees for recording marks and brands	2,068.00
From fees for notaries commissions, etc.....	874.64

Total receipts	\$334,132.61
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The disbursements were as follows, to wit:

For criminal expenses	\$121,061.19
For insane expenses.....	88,741.90
For bounty paid for killing animals	25,439.00
For salaries and other expenses.....	46,858.93

Total disbursements	\$282,101.02
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Warrants outstanding amount to	2,057.00
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There is no bonded indebtedness.

THE JUDICIARY

The creation, by act of congress of a fourth judicial district, and the appointment of a fourth justice, with the provision that the judge presiding at the trial of a case in the district court shall not sit upon the bench in the appellate court during the hearing of such case upon appeal, have added greatly to the efficiency of our judiciary and given greater confidence in, and respect for, the judgments of the supreme court. It is a good and safe rule generally to avoid radical changes of law. It is important for the people to become familiar with the laws, and to have them judicially determined in our courts. Better results are obtained where there is greater familiarity with the laws, than where they are undergoing rapid and extreme changes to reach some ideal perfection. Therefore, the best suggestion I can make is, to change the laws as little as possible - to remedy some defects in the present laws. The courts and attorneys discover these defects in attempting to apply the laws in practice, and to adjust them to conflicting individual interests.

SCHOOLS

Material prosperity, good order, respect for and obedience to law; public and private morality, and general progress, are all promoted by general intelligence. The people of Montana, with a steadfast zeal that cannot be too highly commended, have fostered and sustained a system of public schools with the most satisfactory results. None of the territories, and few

of the states can show a better system sustained by self-imposed taxation. The general government that assumes the chief responsibility of preparing our people to exercise the functions of a sovereign state, and has even gone so far as to prescribe what shall be taught in our schools, has never yet given a dollar in any shape or form to aid in their education period. The promised endowment from the school lands is reserved for a future generation that will certainly be better able to provide for itself than the present one. It would be proper to ask, and no more than right for the general government to grant a half million dollars as an advance on our school lands, the interest upon which could be used at once, when the people are poor and most need it. When, as a state, we come into possession and control of our school lands, this advance from the government would be repaid from the first sale. The report of our superintendent of public instruction and other recommendations from those practically engaged in this business of giving instructions, will deserve your attention in making amendments to our school laws. It would seem to me wise to provide in some way for the introduction of training and manual labor into our public schools. It would be a proper recognition of the dignity of labor while giving the rudiments of an intellectual education; and without interfering with that, give to all some practical instruction in the most useful arts and trades; so that when our children left the school house, they would be better equipped for the responsibilities of actual life. It might be well to consider whether the territory could afford a normal school, for the better training of the teachers in the public schools.

RAILROADS

We are in the midst of an era of railroad building in our territory such as we have not hitherto known. The promise is, that at a very early day all of our principal towns, mining agricultural and stock growing districts will be connected and brought into intimate relationship with each other, as well as the centers of population both east and west by the various railroads now operating and those in course of construction and in immediate contemplation. There are 1070 miles of completed road, and over 1000 miles being constructed within our borders. We should extend a hardy welcome to all such enterprises. The territory is vastly benefited by every one of them. They should be encouraged and their interests protected. We should not, however, lose sight of the fact that railroads are owned and conducted by corporations, and corporations are not always managed in the interest of the people. The authority of legislatures to place certain limitations upon corporations in the conduct of their affairs is no longer an open question. No serious conflict between these corporations and the people has yet arisen in Montana, nor is there any reason to anticipate such a conflict at the present time. In truth, the interests of the people and corporations ought to be and, if rightfully understood, are identical and no conflict should arise between them. But it is our duty in advance to make such laws as will protect the people in case such exigency shall arise. It can readily be seen how the exigency may arise. Partiality for a particular town, or district, or industry, or mine, may cripple, or possibly ruin other towns, districts, industries, or mines. This might be easily accomplished by discrimination in rates of transportation. The best interests of our territory require that all should be treated alike and discrimination prevented. Legislation to this end is a demand which should have for its fulfilment the very highest consideration at the hands of our law-makers. All classes of industry are equally interested in this subject. Whatever laws may be enacted in reference to transportation companies should be framed with a view of not injuring any interest, but should be based upon the principle of exact justice to all the varied and complex interest affected thereby. With the ample experience of older

communities you should be able to avoid the mistakes by which measures intended to prevent have created opportunities for oppression, and in many instances given rise to evils far surpassing those they were intended to correct. The laws should be so framed that while they do not invade any of the rights of the corporations, they shall at the same time amply protect the people and our manifold industries against the abuse by corporations of the great powers wielded by them.

REGISTRATION LAWS

The enactment of a registry law is fast becoming a necessity, in order to secure elections that shall fairly and honestly represent the choice of a majority of those legally entitled to vote. The ballot box is universally esteemed as one of the chief safeguards of our liberties, and any measure calculated to protect it from the evil designs of corrupt men, should enlist the support of all patriotic citizens.

MILITIA

The last legislative assembly very wisely passed an act providing for the organization of the militia of the territory. There can be no doubt that organized companies of militia at the various centres of population in the territory would have a wholesome and most beneficial effect. They are conservators of the peace, and their services may be required at any time for the enforcement of the law and the protection of life and property. While there now exists no good reason to apprehend any disturbance within our territory, it is the part of prudence to be prepared to meet and cope with them should they arise. Desiring therefore, to see the act referred to carried into full force and effect, I have sought to procure suitable arms with which to equip companies organized under the law, the territory having no arms except a lot of muzzleloading muskets, which, by changes made in the manual of arms since the adoption of breech-loading guns, have become wholly useless even for the purpose of drill. I made application to the ordnance department of the United States for the issue to the territory of suitable arms for the use of the national guards. The chief of ordnance consented to honor a requisition from me for a thousand stands of arms, the requisition to be accompanied by a suitable bond for the surrender of the arms at any time they may be required by the Secretary of War. I made a requisition and sent a good and sufficient bond in the amount required; but upon the reference of the bond by the chief of ordnance to the judge advocate of the army, he decided that it could not be accepted unless it was duly authorized by an act of the legislative assembly of this territory. There is no legislation now on our statute books which would authorize the execution of a bond for this purpose. I respectfully recommend the passage of a law of this character, to the end that we may procure suitable arms for the equipment of such companies of the National Guards of Montana as desire to organize.

TIMBER LANDS

You should, in my opinion, memorialize congress at an early day for the passage of a law providing for the sale of the timber lands of the United States in this territory, or the passage of a law providing for the payment of a stumpage tax for the cutting of timber upon the unsurveyed lands within the territory.

The present law of the United States in reference to the timber within the territory was undoubtedly intended to permit the people of the territory to cut and use all the timber necessary to the settlement and development of the country, until such time as it became possible to procure

titles to the timbered lands by surveys and further enactments. Otherwise it should have been entitled "An act to prevent the mining and settlement of Montana and other mineral territories." The power given to the secretary of the interior to regulate and control the cutting, was clearly intended to prevent waste and exportation of the timber, but not to interfere with the intent and object of the law "to allow timber to be cut for mining and other domestic purposes," which covers all known uses. Yet the provisions of the enactment, confining the cutting to mineral land, are such, that the rulings and regulations of the secretary, in attempting to carry out the law, have endangered the greatest and most important interest of the territory — our mining interests, by confining such cutting to lands that are only, or chiefly valuable, for the minerals they contain. I know the secretary has the interest of the territory at heart and would not, if he knew it, jeopardize them. Want of knowledge of our peculiar situation, of our absolute dependence upon the timber, of the fact that nine-tenths of the timber is on the rugged mountains at the head of the streams, and on mineral lands in the broad sense and in the meaning of the act, together with the misrepresentation of want of knowledge of some of the commissioner's agents, sent here to report the facts and situation, are the principal causes of our trouble and danger.

No people living have a larger interest in preserving the timber growing on the public domain in the territory than the people you represent; and I am satisfied they would heartily endorse and help carry out any legislation, either by you or the general government, looking to and providing for the preservation of the timber against wilful and unnecessary waste, fire or exportation from the territory.

CARE OF THE INSANE

Your attention is directed to the inadequate and expensive method of caring for the indigent insane, which has obtained in this territory for several years past. The indigent insane of the territory have been and are yet cared for by Doctors Mitchell and Mussigbrod under contract made with them, under the provisions of section 722 of the Revised Statutes. Their care and management of these unfortunates have thus far, been satisfactory in every respect; but in my opinion, it is high time that steps were taken to provide some more permanent asylum for their detention and treatment. Should the gentlemen who now have the contract see fit to terminate it, or not renew it at its expiration, it would, for a time at least, seriously embarrass the executive of the territory to find suitable quarters for these patients. I think a start, at least, should be made by the present legislature looking toward the establishment of a permanent asylum at some suitable point in the territory. I would recommend that you provide for the appointment of commissioners authorized to select and purchase a suitable site for such an institution, and provide for the erection of at least, temporary buildings for this purpose. I am of the opinion that an asylum constructed upon the cottage plan would answer every purpose. Cottages sufficient to accommodate all of the patients, at present a charge upon the territory, could be constructed for comparatively a small sum; and should the number of patients increase with the increase of our population, as will doubtless be the case, additional cottages can be erected without any considerable outlay. I earnestly entreat your careful consideration of this question.

TAXATION

In the matter of taxation the people are always keenly sensitive to any inequalities. There should be some rule applicable to the whole territory, whether property is to be rated at its full cash value, or at some point

below, as two-thirds. In the same classes of property, such as stock, there is a considerable difference of valuation in adjacent counties, which offers the temptation to drive cattle for a time, into the county where the rate of valuation is the lowest. In the matter of taxation of mortgaged property the law as it now stands is much too loose and indefinite, and results in many cases in double taxation. The borrower paying tax both on the property and the mortgage, the lender simply increasing the interest to cover the tax on the mortgage.

REVISION OF CERTAIN LAWS

It is represented to me by those who have better means of knowing than I have, that our probate laws are seriously defective in several respects. That our road laws need repairing as much as our roads; that the sheriffs' fee bill for support of prisoners is not what it was supposed to be, the latest amendment being engrafted upon a repealed statute. That the law of succession needs very careful consideration, as its provisions are conflicting. And doubt is expressed as to whether the dower law of 1876 is yet in force, or whether it was repealed by the revised statutes of 1879. It is the dictate alike of justice and humanity that a wife shall have in the property of her husband a certain well defined interest; an interest of which she cannot be deprived by the will of her husband. Your attention is called to the fact that by our statute the age at which a girl may consent to her own ruin is fixed at the age of ten years. In my opinion the age of consent should be fixed at not less than 14 years. Complaint is made from several counties that the law substituting a salary limitation, instead of payment by fees direct to county officials is working to the disadvantage of several counties, and efforts will be made to repeal the entire law. The present law was passed to remove the temptation from county officials of charging illegal fees or of making business for the sake of fees, and of neglecting necessary public business for which no fees were provided. If there has been a falling off of some kinds of public business, the public is probably the gainer by reason of it. If my information is correct, both the fees and salaries are, in many cases, too high.

MEMORIALS

If you can do anything by way of memorials to enlighten congress as to the ability of the people of Montana to assume the burdens of state government, and their entire willingness to relieve the general government of any special expense or legislative care on our account, it is worth the effort. Another subject for memorial is the urgent need of a general survey of the public domain in advance of settlement; so that railroad and school lands may be known before the settler drives his stakes or makes his improvement.

And in any contemplated change of the land laws it would be well to represent the general desire and interest of our people that the desert land act should be retained, under which a large amount of waste and worthless land has been reclaimed, and much is capable of reclamation. Unless the general government will thus encourage the construction of irrigating ditches, or of sinking artesian wells, it would be only following the precedent in the case of swamplands, to give them — the desert lands — to the territories and states in which they lie. The irrigation of desert lands is as costly and beneficial as draining swamps.

As you are familiar with the laws, are direct from, and of the people, and know their wants and needs, I have no doubt that you will legislate in the interest of the people; to that end you will have my hearty co-operation.

MONTANA LEGISLATIVE COUNCIL
LIBRARY

THIRD DAY

19

On motion of Blake the consideration of the message was made a special order for 2 p.m.

On motion the Chair appointed a committee consisting of Page, Holt and Gorham on mileage.

On motion of Taylor the House took a recess until 2.p.m.

2 P.M.

Resumed. Roll Called. Quorum present.

On motion of Marshall the vote by which the Governor's message was made a special order for 2:00 p.m., was reconsidered, and the same was made a special order for 10:30 tomorrow.

On motion of Scobey the House adjourned until 10 o'clock tomorrow.

David Marks
Chief Clerk

FOURTH DAY

House of Representatives
January 13th, 1887

House met, pursuant to adjournment, at 10 o'clock a. m., Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of third day read and approved.

Mr. Speaker announced the following standing committees:

Ways and Means—Kanouse, Alderson, Buskett, Mantle, Holt.

Judiciary—Marshall, Blake, Brown, Harwood, Kanouse.

Territorial Affairs—Toole, Spaulding, Muth, Thompson, Hoffman.

Internal Improvements—Scobey, White, Wilson, Page, Toole.

Roads and Highways—Gorham, Harwood, Hoffman, Page, Marshall.

Public Lands—Page, Johnson, Wilson, Thompson, Taylor.

Grazing and Stockgrowing—Holt, Titman, Taylor, Harwood, Wilson.

Federal Relations—White, Hanscomb, Hoffman, Scobey, Holt.

Education and Labor—Hanscomb, Brown, Alderson, White, Gorham.

Towns and Counties—Taylor, Blake, Marshall, Titman, Holt.

Military Affairs—Blake, Buskett, Hoffman, Page, White.

Incorporation—Muth, Thompson, Johnson, Blake, Toole.

Agriculture and Manufacture—Wilson, Titman, Hoffman, Spaulding, Johnson

Election—Brown, Muth, Spaulding, Taylor, Blake.

Indian Affairs—Harwood, Taylor, Johnson, Mantle, Gorham.

Mines and Minerals—Buskett, Blake, Brown, Hanscomb, Toole.

Engrossment—Spaulding, Toole, Scobey, White, Kanouse.

Enrollment—Hoffman, Hanscomb, Marshall, Muth, White.

Printing—Mantle, Muth, Alderson, Buskett, Marshall.

The following report was received;

Mr. Speaker: Your Select Committee on Mileage, appointed to ascertain the number of miles necessarily traveled by members of the House of Representatives of the fifteenth legislative assembly in reaching the seat of government in Montana, and returning to their homes, have discharged the duty assigned to them and beg to report as follows:

Names of Members	Miles
Alderson.....	200
Armstrong	200
Blake.....	342

Brown.....	356
Buskett	72
Gorham	170
Hanscomb	206
Harwood.....	476
Hoffman.....	200
Holt	770
Johnson.....	770
Kanouse	70
Mantle.....	206
Marshall	258
Muth	2
Page	374
Scobey	1058
Spaulding.....	254
Taylor.....	240
Thompson	206
Titman	86
Toole.....	190
White	214
Wilson.....	120

Respectfully submitted,

J. M. Page
Thos. L. Gorham
J. M. Holt

On motion of Taylor, the report was adopted.

The special committee appointed to prepare joint rules reported as follows:

To the Honorable Speaker and Members of the House of Representatives
15th Session, Montana Legislature:

Your committee appointed to confer with a like committee of the Council for the purpose of drafting joint-rules for the government of this Legislative Assembly, have performed that duty, and would respectfully report the following for your consideration and action.

No. 1.

The Chamber of the Council and Hall of the House of Representatives shall be open from 8 o'clock a.m. until 11 o'clock p.m. of each day during the sessions, unless, by resolution of the Council its chamber, or by resolution of the House, its Hall, shall be closed.

No. 2.

The presiding officer of each House, and subject to his directions, the

sergeant-at-arms of each House, shall have general supervision and control of the rooms in which each House may meet and shall see that the doorkeeper and watchman thereof perform their duties, and the watchman of each House shall be responsible for all property left therein by the government and the members respectively.

No. 3.

The doorkeepers at all times when the rooms of the House, or other of them are opened, shall be at their posts and will admit no person upon the floor not privileged thereto, except that during any recess a member may invite any person to the floor.

No. 4.

No moneys from the Territorial treasury shall be expended, nor any indebtedness or liability of the territory be incurred by either House except upon a concurrent or joint resolution of both Houses.

No. 5

The title of every bill shall briefly state its general object and every bill shall be numbered by the clerk, and the title thereof, and the name of the member introducing the same shall be endorsed thereon.

No. 6

Neither House, during the session, shall adjourn more than one day at any time, nor to any other place than that in which such House shall be regularly sitting, without the consent of the other.

No. 7.

Messages shall be transmitted between the two Houses by the Chief Clerk or Sergeant-at-Arms, or by such other officer of each House as its sense of propriety may dictate; which messages shall keep each House informed with promptness of all notices given and bills introduced and of the general condition and state of the business of the other.

No. 8.

Upon the presentation of an enrolled bill by the enrolling committee of either House to the presiding officer for his signature thereto, he shall rise in his place and give notice that he is about to sign the same, giving the title thereof whereupon, if any member signify his desire so to do, he shall be permitted to examine the same; but no objections to the presiding officers signing the same shall be of any avail if the same conforms to the engrossed bill as it passed both Houses.

No. 9.

The enrolling and engrossing Clerks of the two Houses, under the direction of the presiding officer of each House respectively, when not engaged in enrolling or engrossing bills, shall assist the several select or standing committees.

No. 10.

The journal of each House shall give the title and number of each bill, joint resolution or memorial; but the second and all subsequent reference shall be complete when referred to by its number.

No. 11.

In every case of disagreement between the two Houses, if either House

requests a conference and appoints a committee for that purpose, the other House shall appoint a committee to confer therewith upon the subject of their disagreement. They shall meet at a convenient time to be agreed upon by their chairman, and having conferred freely, each shall report to their respective Houses the result of their conference.

No. 12.

When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent by the doorkeeper thereof, and shall be respectfully communicated to the Chair by the person by whom it is sent.

No. 13.

When a bill has passed both Houses, it shall be duly enrolled by the enrolling clerk of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the clerk thereof.

No. 14.

Each enrolled bill shall be signed, first by the Speaker of the House of Representatives, and then by the President of the Council in the presence of their respective Houses while in session.

No. 15.

After the bill shall have thus been signed in each House, it shall be presented, by the Committee of Enrollment of the House in which it originated, to the Governor for his approval, and the said committee shall forthwith report the day and hour of presentation, which shall be entered upon the journal of such House.

No. 16.

All memorials to Congress, or to any officer or other authority of the government, after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House of Representatives and President of the Council, and shall be transmitted by the Chief Clerk of the House in which it originated to the President of the Senate, the Speaker of the House of Representatives, or to the authority memorialized, and a copy to our Delegate in Congress.

No. 17.

When any bill, joint resolution or memorial which shall have passed in one House is rejected in the other notice of said rejection shall be given to the House which has passed the same.

No. 18.

When any bill, joint resolution or memorial, which shall have passed one House is rejected in the other, it shall not again be introduced during the session without five days notice, and leave of two-thirds of the members voting thereon.

No. 19.

Each House shall transmit to the other with any bill, resolution or memorial, all papers upon which the same shall be founded.

No. 20.

When each House shall have adhered to their disagreement a bill or resolution is lost.

No. 21.

When any bill, memorial or resolution is ordered to be printed, a sufficient number of copies shall be printed for the use of both Houses, and the quota for each House delivered to its sergeant-at-arms.

No. 22.

It shall be the duties of the chief clerks of the House of Representatives and of the Council, when any document is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

No. 23.

Whenever a joint resolution or memorial shall have passed both Houses of the Legislative Assembly, an enrolled copy thereof, duly signed by the Speaker of the House of Representatives and the President of the Council, shall be filed in the office of the Secretary of the Territory by the chief clerk of the House in which the same originated.

Respectfully submitted,

W. W. Alderson

J. M. Holt

John W. Buskett

On motion of Toole the report was adopted.

Blake presented the following resolution which on motion of Harwood was adopted:

Resolved: That the Governor be requested to transmit to the House copies of all contracts relating to the keeping and maintenance of persons adjudged insane under the laws of the Territory, and also of Territorial convicts imprisoned in the penitentiary at Deer Lodge, Montana.

The hour having arrived for which the Governor's Message was made a special order the House resolved itself into a committee of the Whole, Kanouse in the Chair.

Resumed. Mr. Speaker in the Chair. The following communication was received:

Council Chamber
Helena, Montana Territory
January 12, 1887

Mr. Speaker:

I am instructed to inform your honorable body that notice of the introduction of a bill in the Council was given as follows:

"By Kennedy: A bill for an act amending Section 529 of the Fifth Division of the Revised Statutes of Montana."

Reuben L. Davis
Chief Clerk

The House again resolved itself into a Committee of the Whole for the further consideration of the Governor's Message, Kanouse in the Chair.

Resumed. Mr. Speaker in the Chair. Kanouse, of the Committee of the Whole, asked time in which to make a report. Further time was granted.

On motion of Taylor the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTH DAY

House of Representatives
January 14th, 1887

House met, pursuant to adjournment, at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the fourth day read and approved. Notices of the introduction of bills and memorials were given as follows:

By Blake: A bill for an act concerning the rights of married women. Also, A bill for an act to authorize the Governor to execute a bond for arms for the militia; Also, A bill for an act concerning the crime of rape; Also House Joint Memorial concerning the timber lands of the United States within the Territory of Montana. Also, House Joint Resolution concerning the Act of Congress entitled, "An act to prohibit the passage of local or special laws in the Territories of the United States, to limit territorial indebtedness and for other purposes," Approved July 30, 1886.

The following report was received, which, upon motion was adopted:

Mr. Speaker: Your Committee of the Whole House, to whom was referred the "Governor's Message", have had the same under consideration and direct me to report, recommending that said message be referred as follows, to wit:

That portion referring to a "Restriction Act" to the Judiciary Committee.

That portion referring to finances and "Condition of Treasury" to Ways and Means Committee;

That under the head of "Judiciary" to the Judiciary Committee;

That under the head of "Schools" to the Committee on Education and Labor;

That under the head of "Railroads" to the Committee on Corporations;

That portion entitled "Registration laws" to the Committee on Elections;

That portion under title of "The Militia" to the Committee on Military Affairs;

That referring to "Timber Lands" to the Committee on "Public Lands;"

That referring to the "Care of Insane" to the Committee on Territorial Affairs;

That portion referring to "Taxation" to the Committee on Ways and Means;

That portion referring to "Revision of Certain Laws" to the Judiciary Committee;

That referring to "Memorials" upon the subject of State Government to the Committee on Federal Relations; and that further portion under said head of Memorials, treating of change in the land laws to the Committee on Public Lands.

Kanouse,
Chairman

The following communications were received:

Council Chamber
Fifteenth Session
Montana Legislature
Helena, Montana Territory
January 13, 1887

Mr. Speaker:

I am directed by the Council to inform your body that the Council adopted the Joint Resolutions, for the government of the two Houses, as reported by the Joint Committee.

Respectfully,

Reuben L. Davis
Chief Clerk

Council Chamber
Fifteenth Session
Montana Legislature
Helena, Montana Territory
January 13, 1887

Mr. Speaker:

I am instructed by the Council to inform your Honorable Body that C.J.R. No. 1, "Relating to the employment of additional clerks" has been passed by the Council, under suspension of the rules, and is herewith transmitted.

Respectfully,

Reuben L. Davis
Chief Clerk

Council Chamber
Fifteenth Session
Montana Legislature
Helena, Montana Territory
January 13, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that the following bill has been introduced:

By Kennedy: C. B. No. 1 for an act amending Section 529 of the Fifth Division of the Revised Statutes of Montana.

Respectfully,

Reuben L. Davis
Chief Clerk

C.J.R. No. 1, "Relating to the employment of additional clerks" was read first and second times. Blake moved to strike out the word "five," where it appears in said resolution, and insert in lieu thereof the word "four". Motion lost.

On motion of Marshall the rules were suspended, the resolution was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker
— 24.

Noes: None. Title agreed to.

On motion of Harwood, the rules and joint rules were referred to the Committee on Printing with instructions to have a sufficient number of copies printed for the use of the House.

On motion of Toole, House took a recess until 2 p.m.

2 P.M.

Resumed. Mr. Speaker in the Chair. Roll Called. Quorum present.

Mantle was granted leave of absence until Monday morning, 17th inst. Kennedy, Chairman of the Enrollment Committee of the Council, appeared within the bar of the House and presented for the signature of the Speaker C.J.R. No. 1, whereupon the Speaker announced the signing of the same.

The following communication was received:

Territory of Montana
Secretary's Office
Helena, January 14, 1887

Honorable F. K. Armstrong, Speaker House of Representatives

Sir:

I have the honor to enclose a copy of letter from the Honorable First Comptroller of the Treasury Dept., Washington.

In accordance with it — I would request that committee, in making out mileage report, will conform to the enclosed instructions.

Most Respectfully,
Wm. B. Webb
Secretary of Montana

The following accompanied the communication of the Secretary:

Treasury Department
First Comptroller's Office
Washington, D. C.
November 17th, 1886

Hon. Wm. B. Webb, Territorial Secretary, Helena, Montana

Sir:

Hereinafter in making up your accounts for payment of mileage, you will please give, not only the distance traveled, but also, the name of the starting point and the routes traveled over. If for any reason the "usually traveled route" is not taken an explanation will be necessary.

Respectfully,
M. J. Durham
First Comptroller
By J. R. Garrison
Deputy First Comptroller

On motion of Blake the communications were referred to the Committee on Mileage.

Leave of absence was granted Harwood until Monday evening 17th inst.

By unanimous consent Blake introduced, without having given sufficient previous notice, bills as follows:

H. B. No. 1. "A bill for an act concerning the crime of rape"; — Read first and second times and under a suspension of the rules was referred to the Committee on Judiciary.

H. B. No. 2. "A bill for an act to authorize the Governor to execute bonds for arms for the militia," was read first and second times and under a suspension of rules was referred to Committee on Military Affairs.

Notices of the introduction of bills were given as follows:

By Alderson: "A bill for the repeal of Sections 198, 199, 200, 201 and 202 Chapter XIII, title 'Miscellaneous Offences', Revised Statutes of Montana."

By Taylor: "A bill to amend Section 10 of an act entitled an act for the better protection of the livestock interest of the Territory," Approved March 10, 1885.

By Scobey: "A joint memorial to the President of the United States concerning the Fort Buford Military reservation."

By Muth: "A bill to amend Chapter 41, Fifth Division General Laws."

By Page: "A bill for an act to establish a Territorial hospital for the insane."

Alderson and Hoffman were granted leave of absence until Monday the 17th instant.

The following communication was received:

Territory of Montana
Executive Department
Helena, January 14, 1887

To the House of Representatives:

Gentlemen:

I beg to transmit herewith contracts for the keeping of the Territorial insane and convicts, as requested by your resolution of January 13th.

If any contract for the maintenance of the insane, of later date than the enclosed has ever been executed, I am unable to find it, either among the records of this or the Secretary's office.

Very Respectfully,

S. T. Hauser
Governor

On motion of Marshall the papers accompanying the message were referred to the Committee on Territorial Affairs.

On motion of Kanouse the House took a recess for 20 minutes.

Resumed. Mr. Speaker in the Chair. Roll Called. Quorum present.

The Committee on Mileage reported. Their report was made in conformity with the instructions of the First Comptroller as requested by the Territorial Secretary.

Hanscomb gave notice of the introduction of "A bill regarding amendments to the Lien Laws."

On motion of Buskett the House adjourned until 10 o'clock a.m. tomorrow.

David Marks
Chief Clerk

SIXTH DAY

House of Representatives
January 15th, 1887

House met, pursuant to adjournment, at 10 o'clock, a.m. In the absence of the Speaker, David Marks, Chief Clerk, called the House to order.

On motion of Brown, Thos. C. Marshall was elected Speaker pro tem. Roll called. Quorum present. Prayer by the Chaplain. Journal of fifth day read and approved. Leaves of absence were granted Mr. Speaker and Kanouse for the day.

The following reports were received:

Mr. Speaker: Your Committee on Military Affairs to whom was referred H. B. No. 2, entitled "A bill for an act to authorize the Governor to execute bonds for arms for the militia," have considered the same, and beg leave to report the bill to the House, and recommend that it - do pass.

Blake,
Chairman

Mr. Speaker: Your Committee on Judiciary, to whom was referred H. B. No. 1, entitled "A bill for an act concerning the crime of rape," have considered the same, and recommend that the accompanying amendment be adopted, and that as so amended the bill do pass.

Thomas C. Marshall,
Chairman

House Bills Nos. 1 and 2 were placed upon the general orders for the consideration of the Committee of the Whole.

Notices of the introduction of bills were given as follows:

By Thompson: "A bill for an act relating to an act to protect the wages of wageworkers."

By Kanouse: "A bill for an act apportioning members of the Legislative Assembly."

By Holt: "A bill to amend Section 1 of an act entitled an act to prevent the branding of cattle during certain seasons of the year," Approved March 10, 1885.

By Brown: "A bill concerning the sale of intoxicating liquors to the indigent poor," Also: "A bill to amend Section 398 of the 'Fifth Division of the Revised Statutes,' and to repeal Section 452 of the same." Also, "A bill concerning road superintendents and defining their duties." Also, "A bill concerning road taxes, the manner of their collection and disposition."

On motion of Blake the House adjourned until 10 o'clock, a.m. on Monday.

David Marks
Chief Clerk

(Apparently Sundays were given a Legislative day number, but the Legislature did not meet.)

EIGHTH DAY

House of Representatives
January 17th, 1887

House met pursuant to adjournment, at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Harwood. Prayer by the Chaplain. Journal of sixth day read and approved.

The Speaker announced that under C.J. No. 1 he had appointed William H. Todd as Assistant Clerk and Henry Miles as Clerk of the Committee on Ways and Means.

The following report was received:

Mr. Speaker: Your Committee on Public Lands to whom was referred that portion of the Governor's Message referring to the repeal of the "Desert Land Law," have had the same under consideration and beg leave to report in the form of a memorial to Congress upon the subject.

Page,
Chairman

Scobey gave notice that he would introduce "A bill to amend Sections 463 and 464 of the Fifth Division of the Revised Statutes."

Bills were introduced as follows:

By Brown: H. B. No. 3, "An act concerning the sale of intoxicating liquors to the indigent poor." Read first and second times and referred to the Committee on Printing; also, H. B. No. 4, "An act to amend Section 398, and to repeal Section 452, of the Revised Statutes of Montana". Read first and second times and referred to the Committee on Printing.

By unanimous consent, without having given previous notice, the Committee on Public Lands introduced H.J.M. No. 1, "concerning the repeal of the Desert Land Act of March 3, 1877." Read first and second times and referred to the Committee on Printing.

The following communications were received:

Council Chamber
Fifteenth Session
Montana Legislature
Helena, Montana Territory
January 14, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body: That notices of introduction of bills have been given as follows:

By Rickards: "A bill repealing an act to provide for licensing commercial travelers," Approved July 22, 1879;

By Waters: A bill entitled "An act to repeal Section 3 of an act entitled 'An act to provide for licensing commercial travelers'." Approved July 22, 1879.

By Sutherland: "A bill for an act relating to forestry, tree planting and culture."

By Kennedy: "A bill for an act to amend the Probate Practice Act

Section 55, Chapter 3, Second Division of the Revised Statutes of Montana."

The President has signed "C.J.R. No. 1."

Respectfully,

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
January 15, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that notices of the introduction of joint memorials and bills have been given as follows:

By Hundley: A petition and joint resolution for the relief of George Bashaw, J. H. McFarland and John O'Neill.

By Kennedy: "A bill requiring the publication of certain matters including the proceedings of the Board of County Commissioners."

Bills were introduced as follows:

By Waters: C.B. No. 2, "A bill for an act to repeal Section 3 of an act entitled 'An act to provide for licensing commercial travelers'," approved July 22, 1879.

By Kennedy: C. B. No. 3, "A bill for An act amending the Probate Practice Act, Section 55, Chapter 3, Second Division, Revised Statutes of Montana."

C. J. R. No. 1 was this day approved by the Governor.

Respectfully,

Reuben L. Davis
Chief Clerk

The House resolved itself into a Committee of the Whole for the consideration of general orders, Page in the Chair.

Resumed. Mr. Speaker in the Chair. Page of the Committee of the Whole was granted time in which to report.

On motion of Marshall the House took a recess until 2 p.m.

2 P.M.

Resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Harwood.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House having had under consideration H. B. No. 2, A bill for "An act to authorize the Governor to execute bonds for arms for the Militia," report the same back to the House, and recommend that it - do pass.

Page,
Chairman

Mr. Speaker: Your Committee of the Whole House, having had under consideration H. B. No. 1, "A bill for an act concerning the crime of rape,"

report the same back to the House with amendments, and recommend as amended it - do pass.

Page,
Chairman

On motion of Blake the amendments reported to H. B. No. 1 were adopted, and the bill was ordered engrossed.

Notice of the introduction of bills were given as follows:

By Mantle: "A bill for an act entitled an act relating to the registration of voters."

By Toole: "A bill amending Section 801, Fifth Division, General Laws," relating to license for sale of intoxicating liquors.

Bills were introduced as follows:

By Blake: H. B. No. 5. "A bill for an act concerning the rights of married women," read first and second times and referred to Committee on Printing.

By Alderson: H. B. No. 6, "An act to repeal certain sections of the Fourth Division of the Revised Statutes of Montana." Read first and second times. Blake moved to suspend rules and place bill on the general orders for the consideration of the Committee of the Whole. Motion lost. The bill was referred to the Committee on Printing.

Scobey introduced H.J.M. No. 2, "Concerning the Fort Buford Military reservation." Read first and second times, and, on motion of Scobey, the rules were suspended and the memorial was referred to the Committee on Federal Relations.

Mr. Speaker announced under C.J.R. No. 1 he had appointed Lee D. Brooke as Clerk of the Committee on Judiciary.

On motion of Mantle the House adjourned until 10 o'clock a.m. tomorrow.

David Marks
Chief Clerk

NINTH DAY

House of Representatives
January 18th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Alderson was granted leave of absence for the day. Prayer by the Chaplain. Journal of eighth day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 2, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Public Lands to whom was referred that portion of the Governor's Message in regard to the extension of the public surveys have had the same under consideration and beg to report that they will, at an early day of the session, introduce a memorial to Congress on the subject.

Page,
Chairman

Notices of the introduction of bills were given as follows:

By Harwood: "A bill for an act to authorize the organization and incorporation of building and loan associations."

By Blake: "A bill for an act concerning the seal of the Territory."

By Kanouse: "A bill for an act to amend the salary law."

By Muth: "A bill concerning mortgages on real estate and personal property of corporations."

Bills were introduced as follows:

By Scobey: H. B. No. 7, "An act concerning the bonds of justices of the peace and constables." Read first and second times and referred to the Committee on Printing.

By Blake: H. B. No. 8, "An act concerning the seal of the Territory," was read first and second times and referred to Committee on Printing.

By Kanouse: H. B. No. 9, "A bill for an act to apportion members of the legislative assembly," was read first and second times and referred to the Committee on Printing.

Blake introduced H.J.M. No. 3, "Concerning the timber lands of the United States within the Territory of Montana," which was read 1st and 2nd times and placed upon the general orders for the consideration of the Committee of the Whole.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body; That notices of the introduction of bills were given as follows:

By Rickards: "A bill providing for the transfer of certain records concerning the Butte townsite." Also, "A bill relating to the deposit of public funds in banks."

By Pardee: "A bill for an act in relation to the creation of new counties." Also, "A bill for an act to increase the duties of the Territorial Auditor."

The following were introduced:

By Hundley: C.J.R. No. 2, "for the relief of George Bashaw, J. H. McFarland and John O'Neill."

By Kennedy: C.B. No. 4, "A bill for an act requiring the publication of certain matters, including proceedings of the Board of County Commissioners." C. B. No. 4 was referred to Committee on Printing.

Reuben L. Davis
Chief Clerk

H. B. No. 2 was read a third time and passed by the following vote:

Ayes: Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson and Mr. Speaker — 21.

Noes: Hanscomb — 1.

Absent: Alderson, Blake — 2.

The following report was received:

Mr. Speaker: Your Committee on Printing beg leave to report that House Bills Nos. 3, 4 and 6 have been correctly printed and the same are herewith returned.

Mantle,
Chairman

House Bills 3 and 4 were referred to Committee on Judiciary. House Bill No. 6 was referred to the Committee on Territorial Affairs.

On motion of Harwood H. B. No. 8 was recalled from the Committee on Printing, the rules were suspended, and the bill read a third time by title and passed by the following vote:

Ayes: Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Alderson, Blake — 2.

Title agreed to.

On motion of Mantle the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave - Alderson.

H. J. Memorials Nos. 1 and 3 were placed upon the general orders for the consideration of the Committee of the Whole.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 1, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Printing beg leave to report back House Bill No. 5, correctly printed.

Mantle,
Chairman

H. B. No. 5 was referred to the Committee on Judiciary.

Notices of the introduction of bills were given as follows:

By Blake: "A bill for an act concerning the times of holding terms of the Supreme Court." Also, "A bill for an act concerning the rights of corporations to own land."

By White: "A bill to prevent the sale of intoxicants in variety theatres."

By Mantle: "A bill for an act in relation to railroad corporations."

By Buskett: "A bill to provide for the taking of a census of the Territory."

Thompson introduced H. B. No. 10, "An act to protect the wages of wage-workers." Read first and second times and referred to the Committee on Printing.

Blake introduced H. J. M. No. 4, concerning the Act of Congress entitled "An act to prohibit the passage of local or special laws in the Territories of the United States; to limit territorial indebtedness, and for other purposes," Approved July 20, 1886. Read first and second times and placed upon the general orders for the consideration of the Committee of the Whole.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 18, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body: That notices of introduction of bills were given as follows:

By Kennedy: "A bill entitled 'An act to amend an act to amend Sections 1193 and 1194, Fifth Division of the Revised Statutes of Montana'."

By Thompson: "A bill relating to the payment of jurors and witnesses before the district and probate courts." Also, "A bill relating to the assessment and equalization of property and the manner of levying taxes."

C. B. No. 5, "A bill for an act providing for the transfer of certain records relating to the townsite of Butte City," was introduced by Rickards.

C. J. R. No. 2 was passed, and with petition accompanying same, is herewith transmitted.

Reuben L. Davis
Chief Clerk

The petition to C. J. R. No. 2 was read. C. J. R. No. 2, "For the relief of George Bashaw, J. H. McFarland and J. W. O'Neill", was read first and second times and referred to the Committee on Ways and Means.

H. B. No. 1 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: None.

Absent: Alderson — 1.

Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Kanouse, H. B. No. 9, was recalled from the Committee on Printing, and referred for correction to the Committee on Towns and Counties.

On motion of Muth, House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TENTH DAY

House of Representatives
January 19th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of ninth day read and approved. Marshall was granted leave of absence for the day.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H. J. M. No. 4, concerning the Act of Congress entitled "An act to prohibit the passage of local or special laws in the territories of the United States, to limit territorial indebtedness, and for other purposes," Approved July 30, 1886; H. J. M. No. 1, "Concerning the repeal of the Desert Land Act of March 3, 1877;" and H. J. M. No. 3, "Concerning the timber lands of the United States within the Territory of Montana," and have directed me to report the same back with recommendation that they do pass.

Kanouse,
Chairman

H. J. Memorials Nos. 1, 3 and 4 were ordered engrossed.

The following was received:

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Joint Memorial No. 2, concerning the Fort Buford Military Reservation, beg leave to report the same back to the House and recommend that it do pass.

White,
Chairman

H. J. M., No. 2 was placed upon the general orders for the consideration of the Committee of the Whole.

Notices of the introduction of bills were given as follows:

By Brown: "A bill to enable the County of Beaverhead to erect a court house."

By Muth: "A bill to amend Section 3 of an act entitled, 'An act limiting compensation of certain officers named herein.'"

By Page: "A bill for an act regulating gambling."

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back the rules and joint rules of the House correctly printed.

Mantle,
Chairman

Bills were introduced as follows:

By Holt: H. B. No. 11, "To amend Section One of an act to prevent the branding of cattle during certain seasons of the year." Read first and second times, and, under suspension of the rules, was referred to the Committee on Grazing and Stock Growing.

By Kanouse: H. B. No. 12, "A bill for an act to amend an act entitled, 'An act limiting compensation of certain officers herein named'." Read first and second times and, on motion of Mantle the rules were suspended, and the bill was placed upon the general orders for the consideration of the Committee of the Whole.

By White: H. B. No. 13, "An act to prevent the sale of intoxicants in 'variety theatres'." Read first and second times, and, under a suspension of the rules was referred to the Committee on Education and Labor.

Brown moved to reconsider order referring H. J. M. No. 4 to the Engrossing Committee. Blake raised a point of order, that as Brown had voted against the Memorial his motion was out of order. The Chair decided the point well taken.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 19, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that notices of introduction of bills were given as follows:

By Thompson: "A bill for an act to amend Article 1 of Chapter XV of the Fifth Division of the Revised Statutes of Montana, relating to corporations for industrial and production purposes."

By Collins: "A bill for an act in relation to telegraph companies." Also, "To provide for the collection of revenue."

By Waters: "A bill entitled an act concerning the Montana library." H. B. No. 8, was passed under a suspension of the rules and is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 8 was ordered enrolled.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Taylor in the Chair.

House Resumed. Mr. Speaker in the Chair. Taylor, Chairman of the Committee of the Whole was granted time in which to report.

On motion of Holt the House took a recess until 2 p.m.

2 P.M.

House Resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Marshall.

The following report was received:

Mr. Speaker: Your Committee on Grazing and Stock Growing to whom was referred H. B. No. 11, beg leave to report the same back with the recommendation that it - do pass.

Holt,
Chairman

H. B. No. 11 was placed on general orders for the consideration of the Committee of the Whole.

The following report was received:

Mr. Speaker: The Committee of the Whole having had under consideration House Joint memorial No. 2, concerning the Fort Buford Military reservation, recommend that the same do pass. Also having under consideration House Bill No. 12, recommend that the same be referred to the Judiciary Committee.

J. F. Taylor,
Chairman

On motion of Blake report was adopted.

On motion of Spaulding the following amendment to H. J. M. No. 2 was adopted: Amend the first paragraph of the Memorial so that it shall read: "That the extension of the St. Paul, Minneapolis and Manitoba railroad into Northern Montana at an early date will be assured as soon as said company can obtain a right of way for its road."

The following reports were received:

Mr. Speaker: Your Committee on Ways and Means have had under consideration C. J. No. 2, and direct me to report recommending that it do pass.

Kanouse,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 10 correctly printed.

Mantle,
Chairman

H. B. No. 10 was referred to the Committee on Education and Labor. Alderson gave notices as follows:

Mr. Speaker: I hereby give notice that on tomorrow or some subsequent day, I will introduce a house joint resolution, providing for payment for printing resolutions, memorials, and etc., not provided for by the general government, and for such daily papers, as are published in the capital, as may be necessary for the members of the legislative assembly.

Mr. Speaker: I hereby give notice that on tomorrow or some subsequent day during the present session, I will introduce a bill to provide the public schools of the Territory with Webster's Unabridged Dictionary.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 19, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that notices of introduction of bills and resolutions were given as follows:

By Kennedy: "A joint resolution providing for the printing of additional bills and for other printing."

By Collins: "A bill to provide a banking law for Montana."

Bills were introduced as follows:

By Thompson: C. B. No. 6, "A bill for an act to amend Article 1, of

Chapter XV, of the Fifth Division of the Revised Statutes of Montana, relating to corporations for industrial or productive purposes." Ordered printed.

By Waters: C. B. No. 7, "A bill for an act concerning the Montana library."

By Collins: C.B. No. 8, "A bill for an act in relation to the taxation of telegraph companies."

By Kennedy: C. B. No. 9, "A bill for an act to amend Section 1193, Fifth Division Revised Statutes of Montana."

Respectfully,

Reuben L. Davis
Chief Clerk

C. J. R. No. 2 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: None.

Absent on leave: Marshall — 1.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 8, concerning the seal of the Territory, beg leave to report the same correctly enrolled.

C. W. Hoffman,
Chairman

On motion of Mantle the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

ELEVENTH DAY

House of Representatives
January 20th, 1887

House met pursuant to adjournment at 10 a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of tenth day read and approved. Marshall and Kanouse were granted leaves of absence for the day.

The following report was received:

Mr. Speaker: Your Committee on Education and Labor to whom H.B. 13 was referred, beg leave to report said bill back with the recommendation that the same do pass with the accompanying amendment.

Hanscomb,
Chairman

H. B. No. 13 was placed upon the general orders for the consideration of the Committee of the Whole. Notices of the introduction of bills were given as follows:

By Harwood: A House Joint Memorial to Congress asking that the Indian Commissioners, Messrs. J. V. Wright, J. W. Daniels and C. F. Larabee, at present negotiating and treating with the various Indian tribes of Northern Montana, under the provisions of an Act of Congress entitled, "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1887, and for other purposes," approved May 15, 1886, be directed to extend their negotiations under the provisions of said act to the tribe of Crow Indians situated south of the Yellowstone River in Southern Montana.

By Hoffman: "A bill concerning the improvement of the law library of the Territory of Montana."

Bills were introduced as follows:

By Alderson: H. B. No. 14, "An act to provide the public schools of the Territory with Webster's Unabridged Dictionary." Read first and second times and referred to the Committee on Printing.

By Blake: H. B. 15, "An act concerning the times of holding terms of the Supreme Court." Read first and second times and referred to the Committee on Printing.

Alderson introduced H. J. R. No. 1, "Providing for the payment of printing etc., not provided for by the general government." Read first and second times and referred to the Committee on Printing.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Blake in the Chair.

House resumed. Mr. Speaker in the Chair. Blake, Chairman of the Committee of the Whole was granted further time in which to report. The Speaker announced the signing of H. B. No. 8.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. J. M. No. 2, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred H. J. M. No. 3, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred H.J.M. No. 4 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Printing beg leave to report back House Bill No. 7, the same having been correctly printed.

Mantle,
Chairman

H. B. No. 7 was referred to the Committee on Judiciary.

On motion of White the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWELFTH DAY

House of Representatives
January 21st, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of eleventh day read and approved. Marshall was granted leave of absence for the day.

The following reports were received:

Mr. Speaker: Your Committee on the Judiciary to whom was referred House Bill No. 3, would report that we have considered the same, and report the same back with accompanying amendments, and recommend that said bill, as amended, do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on the Judiciary, respectfully report that we have had House Bill No. 4 under consideration, and report same back with accompanying amendments, and that the same, as amended do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 5, entitled "An act concerning the rights of married women," beg leave to report the same back to the House, with the accompanying amendments, and recommend that, as amended the bill do pass.

Marshall,
Chairman

House Bills 3, 4 and 5 were placed on the general orders for the consideration of the Committee of the Whole.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House to whom was referred H. B. No. 13: "An act to prevent the sale of intoxicants in variety theatres," and the amendments proposed by the Committee on Education and Labor, have considered the same and directed me to report the bill and accompanying amendment back to the House and recommend that the same be recommitted to the Committee on Education and Labor.

Blake,
Chairman

Mr. Speaker: Your Committee of the Whole House, to whom was referred H. B. No. 11, "An act to amend Section 1 of an act to prevent the branding of cattle during certain seasons of the year," have had the same under consideration, and directed me to report the bill back to the House and recommend that it do pass.

Blake,
Chairman

The reports were adopted and House Bill No. 13 was referred to the Committee on Education and Labor, and H.B. No. 11 was ordered engrossed. Mr. Speaker announced the signing of C. J. R. No. 2.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.J.M. No. 1, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Education and Labor to whom was referred H. B. No. 10, "An act in relation to the wages of wage workers," beg leave to report that they have had the same under consideration, and have instructed me to report the same back with amendments, and as so amended recommend that it do pass.

Hanscomb,
Chairman

H. B. No. 10 was placed on the general orders for the consideration of the Committee of the Whole.

Notices were given as follows:

By Buskett: "A bill for the relief of A. J. Davidson and William N. Baldwin."

By Alderson: "A memorial asking Congress for a suitable appropriation for the purpose of constructing a permanent wagon road from Gardiner or Mammoth Hot Springs, to, or near, Cooke City, Montana."

Bills were introduced as follows:

By Brown: H. B. No. 16, "An act concerning road superintendents, and defining their duties," was read first and second times and ordered printed. Also, H. B. No. 17, "An act to enable the County of Beaverhead to build a court house." Read first and second times, rules suspended, considered engrossed and placed on the calendar for a third reading.

By Blake: H. B. No. 18, "A bill for an act to amend an act concerning the power of corporations to own land." Read first and second times and ordered printed.

By Hoffman: H. B. No. 19, "An act for the purpose of appropriating money for the improvement of the law library of the Territory of Montana." Read first and second times and ordered printed.

By Page: H. B. No. 20, "A bill for an act to establish a hospital for the insane." Read first and second times and ordered printed.

Harwood introduced H. J. M. No. 5, "Concerning Crow Indians." Read first and second times — rules suspended, considered engrossed and placed on the calendar for a third reading.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 20, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that notices of the introduction of bills were given as follows:

By Holliday: "A bill for the creation of Park county and other purposes."

By Cardwell: "A bill to regulate the fees of county assessors."

Thompson introduced C. B. No. 10 "A bill for an act concerning payment of jurors and witnesses in criminal cases in attendance upon the District and Probate Courts." Ordered printed.

Kennedy introduced C. J. R. No. 3, providing for the printing of additional bills and for other printing.

Reuben L. Davis
Chief Clerk

H. J. M. No. 1 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Hoffman, Marshall, on leave — 2.

Title agreed to.

H. J. M. No. 2 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Hoffman, Marshall, on leave — 2.

Title agreed to.

H. J. M. No. 3 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Hoffman, Marshall, on leave — 2.

Title agreed to.

H. J. M. No. 4 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: Brown — 1.

Absent: Hoffman, Marshall, on leave — 2.

Title agreed to.

H. J. M. No. 5 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Hoffman, Marshall, on leave — 2.

Title agreed to.

On motion of Page the rules were suspended and H. B. No. 17 was referred to a special committee consisting of the member from Beaverhead County and the joint member from Madison and Beaverhead Counties.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Mantle in the Chair.

House resumed. Mr. Speaker in the Chair. Mantle, of the Committee of the Whole, reported progress, and the committee was granted leave to sit again.

On motion of Brown the house took a recess until 2 p.m.

2 P.M.

House Resumed. Mr. Speaker in the Chair. Roll called . Quorum present. Absent on leave: Marshall.

By unanimous consent Page was granted permission to make an addition to a section of H. B. No. 20.

The following report was received:

Mr. Speaker: Your Committee on Printing beg leave to report back H. J. R. No. 1, "providing for the payment of printing, etc., not provided for by the general government," with recommendation that it do pass.

Mantle,
Chairman

H. J. R. No. 1 was placed on general orders for the consideration of the Committee of the Whole.

The House resolved itself into a Committee of the Whole for the further consideration of the general orders, Mantle in the Chair.

House resumed. Mr. Speaker in the Chair. Mantle, of the Committee of the Whole, was granted time in which to report.

The following reports were received:

Mr. Speaker: Your Committee on Enrollment beg leave to report that H.B. No. 8 "An act relating to the seal of the Territory," was presented to the Governor for his signature at 12 o'clock today, January 21, 1887.

Hoffman,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 15 correctly printed.

Mantle,
Chairman

H. B. 15 was referred to the Committee on Judiciary.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 21, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Kennedy gave notice of introduction of "A bill providing for the posting of estrays in this Territory."

Holliday introduced C. B. No. 11, "A bill for an act to create the County of Park, and for the election of officers thereof."

C. J. R. No. 3 has passed the Council.

C. J. R. No. 2 and H. B. No. 8 were signed by Mr. President.

Reuben L. Davis
Chief Clerk

On motion of Toole the House adjourned until 10 o'clock a.m. tomorrow.

David Marks
Chief Clerk

THIRTEENTH DAY

House of Representatives
January 22nd, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of twelfth day read and approved.

The following communication was received:

Territory of Montana
Executive Department
Helena
January 22, 1887

To the House of Representatives:

Gentlemen:

I have the honor to inform you that I have this day approved House Bill No. 8, entitled "An act concerning the seal of the Territory."

Very Respectfully,

S. T. Hauser
Governor

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. B. No. 11, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 14 correctly printed.

Mantle,
Chairman

H. B. No. 14 was referred to the Committee on Education and Labor.

The following report was received:

Mr. Speaker: Your Committee of the Whole to whom was referred certain bills, have had the same under consideration, and have directed me to report as follows:

That H. J. R. No. 1 do pass. That House Bills Nos. 3, 4, 5 and 10 have been amended by the committee, and that the accompanying amendments be adopted and as so amended we recommend the passage of the bills.

Mantle,
Chairman

On motion of Blake the report was adopted and H. J. R. No. 1, House Bills Nos. 3, 4, 5 and 10 were ordered engrossed.

Notices of the introduction of bills were given as follows:

By Hanscomb: "A bill for an act for the safety of miners."

By Buskett: "A bill to repeal Sections 2 and 3 of an act entitled, 'An

act to provide for the collection of special poor tax'." Approved February 15, 1883.

By Kanouse: "A bill for an act to secure watering places for stock."

Buskett introduced H. B. No. 21, "An act for the relief of A. J. Davidson and William N. Baldwin." Read first and second times and ordered printed.

The Committee on Public Lands introduced H. J. M. No. 6, "relating to the extension of public surveys." Read first and second times and referred to the Committee on Public Lands.

H. B. No. 11 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: Alderson — 1.

On motion of Blake the title was amended so as the title of the bill should appear before the enacting clause.

On motion of Toole the House adjourned until 10 a.m., Monday.

David Marks
Chief Clerk

FIFTEENTH DAY

House of Representatives
January 24th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of thirteenth day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. J. R. No. 1, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. B. No. 10, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. B. No. 5, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. B. No. 4, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. B. No. 3, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Public Lands, to whom was referred H. J. M. No. 6, relating to the extension of the public surveys, have had the same under consideration and report the same back recommending that it do pass.

Page,
Chairman

H. J. M. No. 6 was placed on the general orders, for the consideration of the Committee of the Whole.

Bills were introduced as follows:

By Buskett: H. B. No. 22, "An act to repeal Sections 2 and 3 of an act entitled 'An act to provide for the collection of special poor tax,'" Approved February 15, 1883. Read first and second times and ordered printed.

By Hanscomb: H. B. No. 23, "An act to secure to miners greater safety." Read first and second times and ordered printed.

By Muth: H. B. No. 24, "An act concerning mortgages upon real and personal property of corporations." Read first and second times and ordered printed.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 22, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Collins: "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen the same in another state, territory or country; and for the punishment of receivers of stolen property in certain cases."

By Kennedy: "A bill in relation to fencing railroads, and erection of cattle guards."

By Collins: "A bill providing for the creation of the office of Public Examiner in the Territory of Montana, and defining his duties."

Bills were introduced as follows:

By Kennedy: C. B. No. 12, "An act to provide for the posting of estrays in this Territory." Ordered printed.

By Rickards: C. B. No. 13, "A bill for an act authorizing the deposit of public funds in banks." Ordered printed.

H. J. M. No. 5 was passed and is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. J. M. No. 5 was ordered enrolled.

H. B. No. 3 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: None

Absent: Marshall — 1.

Title agreed to.

H. B. No. 4 was read a third time and lost by the following vote:

Ayes: Blake, Brown, Harwood, Johnson, Page, Toole, White — 7.

Noes: Alderson, Buskett, Gorham, Hanscomb, Hoffman, Holt, Kanouse, Mantle, Muth, Scobey, Spaulding, Taylor, Thompson, Titman, Wilson, Mr. Speaker — 16.

Absent: Marshall — 1.

H. B. No. 5 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Harwood, Marshall — 2.

Title agreed to.

H. B. No. 10 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 24.

Noes: None

Title agreed to.

H. J. R. No. 1, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson — 21.

Noes: Page, Taylor, Mr. Speaker — 3.

Title amended so as to read: "Providing for the payment of printing not provided for by the general government."

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 21 correctly printed.

Mantle,
Chairman

On motion of Blake H. B. No. 21 was referred to the Committee on Ways and Means, with instructions to report the same back with whatever facts concerning the same that may be procured by them.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 16 and H. B. No. 19, correctly printed.

Mantle,
Chairman

H. B. No. 16 was referred to the Committee on Roads and Highways, and H.B. No. 19 was referred to the Committee on Ways and Means. The House resolved itself into a Committee of the Whole for the consideration of general orders. Holt in the Chair.

House resumed. Mr. Speaker in the Chair. Holt of the Committee of the Whole was granted further time in which to report.

Notices of the introduction of bills were given as follows:

By Taylor: "A bill to annex to School District No. 8, Lewis and Clarke County, a certain portion of School District No. 1, Choteau County."

By Page: "A bill for an act to amend Section 310, Article 3, page 469, Revised Statutes of Montana 1879."

On motion of Alderson the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

SIXTEENTH DAY

House of Representatives
January 25th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the fifteenth day read and approved. Blake was granted leave of absence for the day.

The following reports were received:

Mr. Speaker: Your Committee of Ways and Means have had under consideration H. B. No. 19, "An act for the purpose of appropriating money for the improvement of the law library of the Territory of Montana." and herewith report the same with recommendation, that it - do pass.

Kanouse

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 7, "An act entitled an act concerning the bonds of Justices of the Peace and Constables," beg leave to report the same back to the House, with accompanying amendments, and recommend that, as amended the bill do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 15, "An act concerning the time of holding terms of the Supreme Court," have had the same under consideration, and beg leave to report recommending that the bill do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Education and Labor, to whom was referred House Bill No. 14, beg leave to report the same back to the House with recommendation that it do pass as amended. Amendment hereto attached.

Hanscomb,
Chairman

House Bills Nos. 19, 14, 15 and 7 were placed on the general orders for the consideration of the Committee of the Whole.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 18, correctly printed.

Mantle,
Chairman

H. B. No. 18 was referred to the Committee on Incorporations.

The following report was received:

Mr. Speaker: Your Committee of the Whole House, to whom was referred H. J. M. No. 6, have had the same under consideration, and have directed me to report the same back with a recommendation that it do pass.

Holt,
Chairman

H. J. M. No. 6 was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Hanscomb: "A bill entitled an act to secure persons and animals from danger."

By Mantle: "A bill for an act to establish the office of commissioner of mines."

By Gorham: "A bill for an act to amend an act relative to bounty for killing certain animals."

By Buskett: "A bill for the organization of independent graded school districts within the Territory of Montana."

Bills were introduced as follows:

By the Judiciary Committee: H. B. No. 25, "A bill for an act defining compensation for county officers." Read first and second times and ordered printed.

By Buskett: H. B. No. 26, "An act to provide for the registration of the names of electors, and to prevent frauds at elections." Read first and second times and ordered printed.

By Page: H. B. No. 27, "A bill for an act to regulate gambling." Read first and second times and ordered printed.

By Page: H. B. No. 28, "A bill for an act to amend Section 310, Article 3, page 469, Revised Statutes of Montana." Read first and second times and ordered printed.

By Mantle: H. B. No. 29, "A bill for an act in relation to railroad corporations." Read first and second times and ordered printed.

By Kanouse: H. B. No. 30, "A bill for an act to secure watering places for stock." Read first and second times and ordered printed.

Marshall presented the following resolution, which on motion was adopted.

Resolved: That a committee to consist of three from the House and two from the Council, to constitute a joint committee, be appointed to visit the territorial law and miscellaneous libraries, and ascertain what appropriations may be needed by said libraries for the purchase of books, printing, etc., and what books may be needed to complete the sets of books in said libraries, and to report such further legislation in respect to said libraries as to them may seem proper.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 25, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Kennedy: "A bill to provide for a territorial board of arbitration for the settlement of differences between employers and their employees."

By Holliday: "A bill for an act to amend Section 371 of the Fifth Division of the Revised Statutes, by adding a clause thereto relative to the transfer of the moneys of the poor fund." Also: "A bill for an act to restrict the duties of county clerks, probate judges and justices of the peace."

Bills were introduced as follows:

By Collins: C. B. No. 14, "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen the same in some other territory, state or country; and for the punishment of receivers of stolen property."

By Kennedy: C. B. No. 15, "An act in relation to fencing railroads and erection of cattle guards."

By Collings: C. B. No. 16, "A bill for an act concerning banks and banking."

Reuben L. Davis
Chief Clerk

The House resolved itself into a Committee of the Whole for the consideration of general orders. Muth in the Chair.

House Resumed. Mr. Speaker in the Chair. Muth of Committee of the Whole reported progress, and leave was granted them to sit again.

The following reports were received:

Mr. Speaker: Your Committee on Enrollment to whom was referred House Joint Memorial concerning the Crow Indians, beg leave to report the same correctly enrolled.

Hoffman,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back House Bill No. 20, H. B. No. 22 and H. B. No. 24, each correctly printed.

Mantle,
Chairman

H. B. No. 24 was referred to the Committee on Incorporations. H.B. No. 22 was referred to the Committee on Towns and Counties. H.B. No. 20 was referred to the Committee on Territorial Affairs.

On motion of Mantle the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll Called. Quorum present. Absent on leave - Blake. The Speaker announced the signing of H. J. M. No. 5.

The House resolved itself into a Committee of the Whole for the further consideration of general orders. Muth in the Chair.

House resumed. Mr. Speaker in the Chair. Muth, of Committee of the Whole, was granted further time to report.

Mr. Speaker announced that in conformity to the resolution to appoint a joint committee to visit the territorial law and miscellaneous libraries, he had appointed Messrs. Marshall, Spaulding and Harwood on the part of the House.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 23 and H. B. No. 30 correctly printed.

Mantle,
Chairman

H. B. No. 23 was referred to the Committee on Territorial Affairs. H. B. No. 30 was referred to the Committee on Grazing and Stock Growing.

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

SEVENTEENTH DAY

House of Representatives
January 26th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the sixteenth day read and approved.

Petitions from citizens of Helena and Stevensville, Montana, relative to the passage of a local option law; also a petition from citizens of Helena, "for the protection of women" were read and referred to Committee on Territorial Affairs.

Petitions of citizens from Gallatin County, Silver Bow County and Missoula County, asking for the repeal of the "Gag Law" were read and referred to Committee on Territorial Affairs.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. J. M. No. 6, beg leave to report same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs to whom was referred H. B. No. 6, entitled: "An act to repeal certain sections of the Fourth Division of the Revised Statutes of Montana," ask leave to report the same back to the House, with accompanying substitute, which they recommend to be adopted in its stead.

J. R. Toole, Chairman
William Muth
C. W. Hoffman

Mr. Speaker: Your Committee on Territorial Affairs having had under consideration H. B. No. 6, entitled "An act to repeal certain sections of the Fourth Division, Revised Statutes of Montana," the undersigned a minority of said committee, beg leave to respectfully recommend that said bill do pass.

William Thompson
Harrison Spaulding

Mr. Speaker: Your Committee on Territorial Affairs to whom was referred H. B. No. 20, entitled: "A bill for an act to establish a hospital for the insane," beg leave to report same back to the House with the recommendation that it do pass.

Toole,
Chairman

H. B. No. 6, with majority and minority reports and the substitute submitted by the Committee on Territorial Affairs, were placed on the general orders for the consideration of the Committee of the Whole. H. B. No. 20 was placed on the general orders for the consideration of the Committee of the Whole.

The following reports were received:

Mr. Speaker: Your Committee of the Whole have had H. B. No. 19 under

consideration, and desire to report same back with the recommendation that further action on same be postponed until the joint committee of both Houses report on the matter considered by said bill.

Muth,
Chairman

Mr. Speaker: The Committee of the Whole House have had under consideration H. B. No. 15, and recommend that it do pass, with the following amendment, to wit: Strike out the words "After the 4th day of July."

Muth,
Chairman

Mr. Speaker: Your Committee of the Whole have had under consideration H. B. No. 14, and beg leave to report as follows:

Amend Section 3 by striking out the word "schools," and inserting in lieu thereof the word "instruction."

Amend Section 1 by striking out the words "the latest Edition" and by adding to the section the words: "provided further, that no school shall be entitled to more than one book under this act." Strike out Section 3 of original bill.

The committee recommend that the bill, as amended, do pass.

Muth,
Chairman

H. B. No. 19 was referred to the joint committee to investigate the condition of the law and miscellaneous libraries.

The amendments to H. B. No. 15 were adopted, and the bill was ordered engrossed. Marshall moved that the amendments offered by the Committee of the Whole on H. B. No. 14 be rejected. Motion lost.

On motion of Mantle H. B. 14, was laid on the table by the following vote:

Ayes: Blake, Brown, Buskett, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Wilson, Mr. Speaker — 15.

Noes: Alderson, Gorham, Hanscomb, Hoffman, Muth, Thompson, Titman, Toole, White — 9.

The following report was received:

Mr. Speaker: The Committee of the Whole House have had under consideration H. B. No. 7, beg leave to report the following amendments, to wit:

Add the words "or appointment" after the word "Election," in line 2 of printed bill.

Amend by striking out the word "incorporated" in line 10 of printed bill; and insert after the word "towns," in line 11, the words: "of 500 or more inhabitants."

In Section 2 add the words: "which shall be approved by the County Clerk" after the word "sureties" in line 4.

Strike out the word "incorporated" in line 6, and add after the word, "towns" in same line the words: "of 500 or more inhabitants."

With the above amendments, I am directed by the committee to report

the bill back to the house with the recommendation that it be recommitted to the Judiciary Committee.

Muth,
Chairman

H. B. No. 7, with amendments was referred to the Committee on the Judiciary.

Notices were given as follows:

By Brown: "A bill to amend Section 5 of an act concerning fences," approved March 10, 1885.

By Blake: "A bill for an act concerning the trustees of religious corporations." Also, "A bill for an act to establish a territorial board of Education." Also, "A bill for an act to build a territorial penitentiary."

By Thompson: "A bill for an act concerning licenses."

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 25 and H. B. No. 27 correctly printed.

Mantle,
Chairman

H. B. No. 25 was referred to the Committee on Towns and Counties.

H. B. No. 27 was referred to the Committee on Education and Labor.

On motion of Blake the following rule was adopted for the government of the House:

Rule 56. When petitions are presented the Clerk shall omit in reading and recording the names of the petitioners, except the first.

The following communications were received:

Council Chamber
Helena, Montana Territory
January 25, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Rickards: "A bill for an act to punish seduction."

By Kennedy: "A bill to amend an act amending Section 873 of the Fifth Division of Revised Statutes, concerning records of mining locations," approved March 5, 1883.

By Hundley: "A bill to amend an act to provide for compensation of counsel in certain criminal cases."

Bills were introduced as follows:

By Holliday: C. B. No. 17, "A bill for the relief of A. W. Tanner." C. J. R. No. 3, H. J. M. No. 2, H. B. No. 2 and C. B. No. 3, have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 2 and H.J.M. No. 2 were ordered enrolled.

C. J. R. No. 3, "Providing for the printing of additional bills and for other printing," was read first and second times and referred to the Committee on Ways and Means.

C. B. No. 3, "Amending the Probate Practice Act, Section 55, Chapter 3, Second Division of the Revised Statutes of Montana," was read first and second times and referred to the Committee on Judiciary.

H. J. M. No. 6, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 24.

Noes: None

Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Harwood in the Chair.

House resumed. Mr. Speaker in the Chair. Harwood of the Committee of the Whole reported progress, and the Committee was granted leave to sit again.

On motion of Brown the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Harwood in the Chair.

House resumed. Mr. Speaker in the Chair. Harwood of the Committee of the Whole was granted time in which to report.

On motion of Brown the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

EIGHTEENTH DAY

House of Representatives
January 27th, 1887

House met, pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by Chaplain. Journal of seventeenth day read and approved.

A petition from citizens of Miles City was presented by Holt, asking the repeal of the law concerning commercial travelers. Petition was referred to the Committee on Territorial Affairs.

The following reports were received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 2, "An act to authorize the Governor to execute bonds for arms for the Militia," beg leave to report the same correctly enrolled.

Hoffman,
Chairman

Mr. Speaker: Your Committee on Incorporation to whom was referred H. B. No. 24, beg leave to report same back, and recommend its amendment by the insertion of the words: "Any person or persons, or by," after the words "executed by" in line 3, of Section 1, and further recommend that the bill as amended do pass.

Muth,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 29, the same being correctly printed.

Mantle,
Chairman

H. B. No. 24 with amendments offered by the Committee on Incorporations, was placed on the general orders for the consideration of the Committee of the Whole.

H. B. No. 29 was referred to the Committee on Incorporations.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 26, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. J. M. No. 5 was signed by Mr. President.

Bills were introduced as follows:

By Cardwell: C. B. No. 18, "A bill for an act in relation to County Assessors," Ordered printed.

By Hundley: C. B. No. 19, "A bill for an act to amend an act to provide for counsel in certain criminal cases," approved February 23, 1881. Ordered printed.

By Sutherlin: C. B. No. 20, "A bill for an act to amend Section 371, of the Fifth Division of the Revised Statutes." Ordered printed.

The resolution appointing joint committee to visit the Territorial libraries, and report, as copied in communication from the House of date January 25, was adopted, and Kennedy and Collins were appointed Committee to act on part of the Council in conformity therewith.

H. B. No. 11, as amended, and Council Bills Nos. 9 and 11 have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Holt, Council amendments to H. B. No. 11, were concurred in, and the bill was ordered enrolled.

C. B. No. 9, "A bill for an act to amend Section 1193, Fifth Division Revised Statutes of Montana," was read first and second times and referred to the Committee on Towns and Counties.

C. B. No. 11, "An act to create the County of Park, and for the election of officers thereof" was read first and second times and referred to the Committee on Towns and Counties.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 28, the same having been correctly printed.

Mantle,
Chairman

H. B. No. 28 was referred to Committee on Incorporations.

Bills were introduced as follows:

By Blake: H. B. No. 31, "A bill for an act concerning the trustees of religious corporations." Read first and second times and ordered printed.

By Hanscomb: H. B. No. 32, "An act to secure persons and animals from danger arising from mining and other excavations." Read first and second times and ordered printed.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Toole in the Chair.

House resumed. Mr. Speaker in the Chair. Toole of the Committee of the Whole was granted time in which to report.

The following report was received:

Mr. Speaker: The Committee of the Whole House beg leave to report that it has had under consideration House Bill No. 6, and do recommend that the majority report of the Committee on Territorial Affairs recommending a substitute for said bill, be adopted.

Harwood,
Chairman

On motion of Marshall, H. B. No. 6, and the recommendation of the Committee of the Whole were referred to the Committee on Territorial Affairs.

Mr. Speaker announced the signing of H. B. No. 2. Taylor moved to adjourn. Motion lost.

On motion of Marshall the House took a recess until 2 p.m.

2 P. M.

Council Chamber
Helena, Montana Territory
January 27, 1887

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: C. J. R. No. 4, "for the relief of certain Cree Indians," was introduced by the Committee on Indian Affairs, the rules were suspended, resolution read first and second times, considered engrossed, read a third time and passed, and the same is herewith transmitted, together with the communication of the Governor, and petition accompanying the same.

Reuben L. Davis
Chief Clerk

The following accompanied the Council communication:

Territory of Montana
Executive Department
Helena, Montana Territory
January 27, 1887

To the Council and House of Representatives:

Gentlemen:

I beg to submit herewith a petition from citizens at Sun River, in reference to condition of certain Indians on Willow Creek between the north and south branches of Sun River.

From the character of the citizens making the representations, and also from private information, I have no doubt but that the statements contained therein are correct; and I would respectfully recommend that your honorable bodies appropriate from three to five hundred dollars for their support until such time as the general government can provide for them.

Very respectfully,

S. T. Hauser
Governor

C. J. R. No. 4: "For the relief of certain Cree Indians," was read first and second times and, on motion of Mantle, the rules were suspended, the resolution was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 24.

Noes: None.

Title agreed to.

The House again resolved itself into a Committee of the Whole. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair. Scobey of the Committee of the Whole, reported progress, and asked leave to sit again, which was granted.

Mr. Speaker announced the signing of C. J. M. No. 4.

On motion of Marshall the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

NINETEENTH DAY

House of Representatives
January 28th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the eighteenth day read and approved.

A petition from National Park Assembly, Knights Labor, No. 492, Livingstone, Montana, asking for a "law prohibiting opium dens," was read and referred to the Committee on Education and Labor.

A petition from citizens of Twin Bridges, asking for the passage of a local option law; Also one concerning the "protection of women," were read and referred to the Committee on Education and Labor.

The following reports were received:

Mr. Speaker: Your Committee on Territorial Affairs, to whom was referred H. B. No. 6, with accompanying substitute, ask leave to report same back, with the recommendation that the substitute be amended as follows: In line two of the second page, strike out the words "one year," and substitute in lieu thereof the words, "three months," and as thus amended we recommend that said substitute do pass.

Toole,
Chairman

Mr. Speaker: Your Committee on Education and Labor to whom was referred H. B. No. 13, have had the same under consideration and beg leave to report the following substitute, with the recommendation that it - do pass.

Hanscomb,
Chairman

On motion of Marshall the substitute and amendments to the substitute for H. B. No. 6 were adopted, and the bill was recommitted to Committee on Territorial Affairs.

On motion of Kanouse the substitute reported by the Committee on Education and Labor for H. B. No. 13 was adopted by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker
— 24.

Noes: None.

Blake moved that the rules be suspended and the bill be ordered engrossed for a third reading. Motion lost. The substitute as adopted was ordered printed.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 15, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Education and Labor to whom was

referred H. B. No. 27, beg leave to report the same back to the House with the recommendation that it - do pass as amended.

Hanscomb,
Chairman

Mr. Speaker: Your Committee on Enrollment to whom was referred House Joint Memorial No. 2, concerning the Fort Buford Military Reservation, beg leave to report the same correctly enrolled.

Hoffman,
Chairman

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 11, to amend Section 1, of an act entitled "An act to prevent the branding of cattle during certain seasons of the year," beg leave to report the same correctly enrolled.

Hoffman,
Chairman

On motion of Page the amendments to H. B. No. 27 were adopted and the bill was placed on the general orders.

The following reports were received:

Mr. Speaker: Your Committee on Judiciary to whom was referred H. B. No. 7, "An act concerning bonds of justices of the peace and constables," have considered the same, and beg leave to report recommending that the bill do not pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred C. B. No. 3, beg leave to report the same back recommending that it - do pass.

Marshall,
Chairman

On motion of Blake H. B. No. 7 was laid on the table.

C. B. No. 3 was placed on general orders.

The following reports were received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 31 and 26 correctly printed.

Mantle,
Chairman

Mr. Speaker: Your Committee of the Whole House who have had under consideration H. B. No. 24, ask leave to report the same back to the House, with the recommendation that it be recommitted to the Committee on Incorporations.

Toole,
Chairman

H. B. No. 26 was, on motion of Brown, referred to a special committee, consisting of the Committee on Elections and Mantle and Buskett.

H. B. No. 31 was referred to the Committee on Incorporations.

H. B. No. 24 was recommitted to the Committee on Judiciary.

Notices of the introduction of bills were given as follows:

By Harwood: "A bill for an act to amend Sections one (1) and two (2) of an act entitled 'An act to amend an act entitled an act concerning chattel mortgages, approved February 19, 1881,' approved February 27, 1885."

By Hanscomb: "A bill to provide for the payment of stock killed or injured by railroads."

By Page: "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday."

By Kanouse: "An act concerning a jail in Meagher County."

The following communication was received:

Council Chamber
Helena, Montana Territory
January 27, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Bills were introduced as follows:

By Kennedy: C. B. No. 21, "An act to provide for a territorial board of arbitration for the settlement of differences between employers and their employees." Ordered printed.

By Sutherlin: C. B. No. 22, "A bill for an act to encourage tree planting and arboriculture in Montana." Ordered printed.

By Committee on Judiciary: "A substitute for H. B. No. 1." Ordered printed.

C. B. No. 10 has passed the Council and is herewith transmitted.

Mr. President has signed C. J. R. No. 4.

The governor has approved H. J. R. No. 2.

Reuben L. Davis
Chief Clerk

C. B. No. 10: "A bill for an act concerning payment to jurors and witnesses in criminal cases in attendance upon the district and probate courts," was read first and second times and referred to the Committee on Judiciary.

Bills were introduced as follows:

By Toole: H. B. No. 33, "An act to amend Section 801 of the Fifth Division of the Revised Statutes of Montana." Read first and second times and ordered printed.

By Gorham: H. B. No. 34, "An act to amend an act relative to killing certain animals." Read first and second times and ordered printed.

Alderson introduced H. J. M. No. 7, "Memorializing Congress to appropriate money for the building of a wagon road from Cinabar to Cook City, Montana." Read first and second times and referred to the Committee on Roads and Highways.

H. B. No. 15 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood,

Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 24.

Noes: None.

Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Scobey in the Chair.

House Resumed. Mr. Speaker in the Chair. Scobey, of the Committee of the Whole, reported progress and the committee was granted leave to sit again. Hoffman was excused until Monday 31st inst.

The Speaker announced the signing of H. B. No. 11 and H. J. M. No. 2.

On motion of Holt the House took a recess until 2 p.m.

2 P. M.

House Resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

A petition from citizens of Bozeman relative to the "protection of women," was read and referred to the Committee on Education and Labor.

The House resolved itself into a Committee of the Whole for the further consideration of general orders. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair. Scobey, of the Committee of the Whole was granted further time in which to report.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 32, the same being correctly printed.

Mantle,
Chairman

H. B. No. 32 was referred to the Committee on Mines and Minerals. On motion of Muth the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWENTIETH DAY

House of Representatives
January 29th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Hoffman. Prayer by Chaplain. Journal of nineteenth day read and approved. Alderson was excused for the day.

A petition from Gallatin County relative to the passage of the bill creating the County of Park was read and referred to the Committee on Towns and Counties.

Petitions from citizens of Beaverhead County relative to "passage of local option law," and one for "protection of women", were read and referred to Committee on Education and Labor.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House to whom was referred Council Bill No. 3 having had the same under consideration, direct me to report the same back with the recommendation that it - do pass.

C. R. A. Scobey,
Chairman

Mr. Speaker: The Committee of the Whole House, to whom was referred H. B. No. 20, having had the same under consideration, have directed me to report the same back with accompanying amendments.

Your committee further recommend that this bill as amended be referred to a select committee of five, said committee to report Monday January 31, 1887.

C. R. A. Scobey,
Chairman

Mr. Speaker: Your Committee of the Whole to whom was referred H. B. No. 27, having carefully considered the same, direct me to report the same back, with the accompanying amendments, and recommend that as amended it - do pass.

C. R. A. Scobey,
Chairman

The report of the Committee of the Whole on H. B. 20, was on motion of Blake, adopted and the Chair, in conformity therewith, appointed Messrs. Marshall, Mantle, Harwood, Hoffman and Page.

On motion of Buskett, the committee was granted until Wednesday, February 2nd to report.

On motion of Blake, the amendments reported to H. B. 27, except the amendment with reference to renumbering sections, were adopted, and the bill was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Scobey: "A bill to amend Sec. 172 of the Fourth Division of the Revised Statutes."

By Armstrong: "A bill to amend Section 804 of the Code of Civil Proce-

ture." Also "A bill to amend an act entitled an act concerning fees of jurors in civil cases, approved February 21, 1881;" Also a bill to "encourage the construction of canals in the Territory of Montana for irrigation and other useful purposes."

By Gorham: "An act concerning supervisors of roads and highways, etc."

Bills were introduced as follows:

By Hanscomb: H. B. No. 35, "A bill for an act for liens of mechanics and others."

By Thompson: H. B. No. 36, "A bill for an act concerning licenses."

By Muth: H. B. No. 37, "An act to amend an act limiting the compensation of certain officers named herein."

Marshall moved to adjourn. Motion lost.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 28, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Notices were given as follows:

By Holliday: "A memorial asking Congress for appropriation for benefit of the National Park."

By Sutherlin: "A bill for an act to provide compensation for Samuel Snider for the assessment of Meagher and Fergus Counties."

H. J. M. No. 4 was lost in the Council, and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

Gorham moved to adjourn. Motion lost.

H. B. No. 35 was read first and second times and ordered printed.

On motion of Marshall the House adjourned until 10 a.m., Monday.

David Marks
Chief Clerk

TWENTY-SECOND DAY

House of Representatives
January 31st, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent: Alderson and Thompson. Prayer by Chaplain.

A petition from citizens of the eastern portion of Gallatin County asking for the creation of the County of Park, was read and referred to the Committee on Towns and Counties.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. B. No. 27, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Special Committee to whom was referred H.B. No. 17, entitled, "An act to enable the County of Beaverhead to build a court house," beg leave to report the same back to the House, and recommend its passage.

Page
Brown
Special Committee

Mr. Speaker: Your Committee on Incorporations, to whom was referred H. B. No. 28, beg leave to return same with amendment and recommend that it - do pass as amended.

Muth,
Chairman

Mr. Speaker: Your Committee on Incorporations, to whom was referred H. B. No. 31, beg leave to return same herewith with the recommendation that it do pass.

Muth,
Chairman

House Bills 17, 28 and 31 were placed on the general orders for the consideration of the Committee of the Whole.

Mantle gave notice that at some future day he would introduce "A bill for an act to enlarge the powers of municipal governments."

Bills were introduced as follows:

By Gorham: H. B. No. 38, "An act concerning supervisors of roads and highways."

By Page: H. B. No. 39, "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday."

The following communication was received:

Council Chamber
Helena, Montana Territory
January 28, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Rickards: "A bill for an act in relation to care and protection of children."

By Sutherlin: "A bill for an act to punish persons for making fraudulent pedigrees of livestock, and for other purposes relating thereto."

Rickards introduced, "An act to punish seduction." Ordered printed. Mr. President has signed H. B. No. 2, H. B. No. 11 and H. J. M. No. 2. H. B. No. 3, as amended, H. B. No. 15, C. B. No. 14, C. B. No. 4, H. J. R. No. 1 as amended, have passed the Council, and the same are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 3 with Council amendments thereto, were placed on the general orders for the consideration of the Committee of the Whole.

On motion of Toole Council amendments to H. J. R. No. 1 were concurred in.

H. B. No. 15 was ordered enrolled. C. B. No. 4, "Requiring the publication of certain matters," was read first and second times and referred to the Committee on Towns and Counties. C. B. No. 14, "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen the same in some other territory, state or country, and for the punishment of receivers of stolen property," was read first and second times and referred to committee on Judiciary.

House Bills Nos. 36, 37, 38 and 39 were read first and second times and ordered printed.

The following communication was received:

Council Chamber
Helena, Montana Territory
January 31, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that the Council respectfully request that H. B. No. 3 be returned to the Council for further amendment.

Reuben L. Davis
Chief Clerk

On motion of Mantle H. B. No. 3 was taken from the general orders, and the clerk was instructed to return the same to the Council.

H. B. No. 27 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Titman, Toole, White, Wilson
Mr. Speaker — 17.

Noes: Buskett, Harwood, Muth, Spaulding, Taylor — 5.

Absent: Alderson, Thompson — 2.

Title agreed to.

C. B. No. 3 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Hanscomb, Harwood, Kanouse, Mantle, Marshall, Page, Spaulding, Titman, Toole, White — 12.

Noes: Buskett, Gorham, Hoffman, Holt, Johnson, Muth, Scobey, Taylor, Wilson, Mr. Speaker — 10.

Absent: Alderson, Thompson — 2.

Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Spaulding in the Chair.

House resumed. Mr. Speaker in the Chair. Spaulding of the Committee of the Whole was granted time in which to report.

On motion of Mantle the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWENTY-THIRD DAY

House of Representatives
February 1st, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent: Thompson. Prayer by Chaplain.

A remonstrance was presented by Alderson "from citizens of Gallatin County against the creation of the County of Park", which was read and referred to Committee on Towns and Counties.

A petition was received from the citizens of Pony, Madison County, asking for passage of a "local option law," which was read and referred to Committee on Education and Labor.

A petition was received from citizens of Pony, Madison County, asking for the "protection of women" which was read and referred to Committee on Education and Labor.

The following reports were received:

Mr. Speaker: Your Committee of the Whole, to whom was referred H.B. No. 17, beg leave to report same back with the recommendation that said bill be referred to the Committee on Judiciary.

Spaulding,
Chairman

Mr. Speaker: Your Committee of the Whole to whom was referred H.B. No. 28, beg leave to report the same back as amended by the Committee on Incorporation, with the recommendation that it do pass as amended.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Enrollment, to whom was referred H.B. No. 15 and H.J.R. No. 1, beg leave to report the same correctly enrolled.

Hoffman,
Chairman

Mr. Speaker: Your committee to whom was referred H.J.M. No. 7 beg leave to report that the same do pass.

Gorham,
Chairman

Mr. Speaker: Your Committee on Grazing and Stock Growing, to whom was referred H.B. No. 30, beg leave to report the same back with amendments and recommend the same do pass.

Holt,
Chairman

H.B. No. 17 was referred to Judiciary Committee. H.B. No. 28, having been reported back with amendments, report and amendments were adopted and ordered engrossed. H.B. No. 30, having been reported back with amendments, report and amendments adopted. Ordered engrossed.

H.J.M. No. 7 was placed on the general orders for the consideration of the Committee of the Whole House.

Notices of bills were given as follows:

By Scobey: "A bill to repeal Section 2 of an act entitled, an act concerning fences," approved March 10th, 1885. Also, "A bill for an act for the taxation of the gross output of mines."

By Taylor: "A bill to amend Section 380, article 2, Fifth Division of the Revised Statutes of Montana."

Bills were introduced as follows:

By Buskett: H.B. No. 40, "An act to provide for the establishment of Independent Graded School Districts."

By Harwood: H.B. No. 41, "An act concerning Chattel Mortgages."

The following communication was received:

Council Chamber
Helena, Montana Territory
January 31, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Governor has approved C.J.R. No. 4.

Holliday introduced C.J.M. No. 1, "Asking for an appropriation for the Yellowstone National Park."

H.J.M. No. 3, was lost in the Council and is herewith transmitted.

Reuben L. Davis
Chief Clerk

The following communications were received from the Governor:

Territory of Montana
Executive Department
Helena, Montana Territory
February 1, 1887

To the House of Representatives:

Gentlemen:

I have the honor to inform you that I have this day approved the following bills:

H. B. No. 2, "An act to authorize the Governor to execute bonds for arms for the Militia."

H. B. No. 11, "An act to amend Section 1 of an act to amend Section 1 of an act to prevent the branding of cattle during certain seasons of the year."

Very Respectfully,

S. T. Hauser
Governor

Territory of Montana
Executive Department
Helena, Montana Territory
February 1st, 1887

To the House of Representatives:

Gentlemen:

I beg to submit herewith a copy of the report of the Auditor and Treasurer of the Territory of Montana, for the fiscal year 1886.

Very Respectfully,

S. T. Hauser
Governor

H.B. Nos. 40 and 41 were read first and second times and ordered printed. House resolved itself into a Committee of the Whole for the consideration of general orders, Johnson in the Chair.

House resumed. Mr. Speaker in the Chair. Johnson of the Committee of the Whole was granted time in which to report.

On motion of Toole, House adjourned until 10 o'clock a.m. tomorrow.

David Marks
Chief Clerk

TWENTY-FOURTH DAY

House of Representatives
February 2nd, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent: Thompson. Prayer by the Chaplain. Journal of twenty-third day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Judiciary to whom was referred Council Bill No. 10, "A bill for an act concerning payment of jurors and witnesses in criminal cases in attendance on the district and probate courts" beg leave to report the same back, with accompanying amendments, and, as amended, recommend its passage.

Thos. C. Marshall,
Chairman

Mr. Speaker: Your committee on Towns and Counties, to whom was referred H.B. No. 22, "An act to repeal Sections 2 and 3 of 'An act to provide for the collection of special poor tax,'" approved February 15th, 1883, beg leave to report the same back with the recommendation that it do not pass.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Towns and Counties to whom was referred H.B. No. 25, beg leave to report the same back with accompanying amendments, and recommend that, as amended, the bill do pass.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Towns and Counties, to whom was referred C.B. No. 9, beg leave to report the same back with the recommendation that it be rejected, as the committee are of the opinion that this is a special or local statute, and entertain grave doubts respecting the power of the Legislative Assembly to enact it; because the provisions thereof appear to be in conflict with the act of Congress entitled, "An act to prohibit the passage of local or special laws in the territories of the United States, to limit territorial indebtedness and for other purposes," approved July 30th, 1886.

J. F. Taylor,
Chairman

Mr. Speaker: A majority of your Committee on Ways and Means to whom was referred C.J.R. No. 3, providing for the printing of additional bills and for other printing, have considered the same and herewith report the same back with the recommendation that it do not pass.

Kanouse, Buskett,
Holt, Alderson

On motion of Blake, C.B. No. 10 and the amendment offered by the Judiciary Committee thereto were placed on General Orders. H.B. No. 22 was placed on the general orders. H.B. No. 25 and amendments were, on motion of Marshall, adopted and placed upon the general orders. C.B. No. 9 was placed on the general orders. C.J.R. No. 3 was placed on the general orders.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House have had under consideration House Joint Memorial No. 7 and report same back with the recommendation that it do pass. Also, House Bill No. 31 and report same back with the recommendation that it do pass.

Johnson,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back H.B. Nos. 34, 33, 13, 39 and 37 all correctly printed.

Mantle,
Chairman

H.J.M. No. 7 and H.B. No. 31 were ordered engrossed. H.B. No. 13 was placed on the general orders. H.B. 39 was referred to the Committee on Education and Labor. H.B. No. 33 was referred to the Committee on Judiciary. H.B. No. 34 was referred to the Committee on Territorial Affairs. H.B. No. 37 was referred to the Committee on Towns and Counties.

The following report was received:

Mr. Speaker: Your Special Committee, to whom was referred House Bill No. 26 entitled, "An act to provide for the registration of the names of electors, and to prevent frauds at elections," beg leave to report the same back to the House and recommend its passage. The Committee also beg leave to introduce herewith "An act relating to elections."

Brown,
Chairman

H.B. No. 26 was placed on the general orders. Marshall, of Special Committee, asked further time to report on H.B. No. 20. Time was granted.

Taylor gave notice as follows:

Mr. Speaker: Notice is hereby given that I will on tomorrow or some future day, ask leave to introduce a bill for an act to prevent rams to run at large between the first day of August and the first day of December. Also, "An act to prevent the abandonment of sheep."

Taylor

Bills were introduced as follows:

By Committee on Elections: H.B. No. 42, "A bill for an act relating to Elections." By Brown: H.B. No. 43, "A bill for an act to amend an act entitled an act concerning fences," approved March 10th, 1885. By Taylor: H.B. No. 44, "An act to amend Section 380, Article 2nd, Fifth Division to the Revised Statutes of Montana Territory."

Mr. Speaker announced the signing of H.B. No. 15 and H.J.R. No. 1.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 35 correctly printed.

Mantle,
Chairman

H.B. No. 35 was referred to the Committee on Education and Labor.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 1st, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Waters gave notice of introduction of a bill entitled, "An act to provide for the erection of a territorial prison and the custody and labor of territorial prisoners."

The following resolution was offered by Waters:

"Be it resolved by the Legislative Council the House concurring, that a joint committee of two from the Council and a like number from the House, be appointed to investigate the books and accounts of the Territorial Auditor and Treasurer; and that said committee have the power to employ competent expert to examine the same." On motion of Collins, the resolution was adopted, and Messrs. Waters and Thompson were, in conformity thereto, appointed such committee on the part of the Council.

Reuben L. Davis
Chief Clerk

On motion of Marshall, Council concurrent resolution, after inserting the words three members of the House, instead of two, was adopted.

H.B. Nos. 42, 43 and 44 were read first and second times and ordered printed. The House resolved itself into a Committee of the Whole for the consideration of General Orders. Muth in the Chair.

House resumed. Mr. Speaker in the Chair. Muth, of the Committee of the Whole was granted time in which to report.

On motion of Mantle, Thompson was granted leave, since Monday last, indefinitely.

On motion of Toole, House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The following report was received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.B. No. 30, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

The House resolved itself into a Committee of the Whole for the further consideration of general orders. Toole in the Chair.

House resumed. Mr. Speaker in the Chair. Toole, of the Committee of the Whole was granted time in which to report.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 38, the same being correctly printed.

Lee Mantle,
Chairman

H.B. No. 38 was referred to the Committee on Roads and Highways.

On motion of Brown, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWENTY-FIFTH DAY

House of Representatives
February 3rd, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Thompson. Prayer by the Chaplain. Journal of the twenty-fourth day read and approved.

The following report was received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.B. No. 28, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

The Special Committee, having under consideration H.B. No. 20, were, on motion of Brown, given until Monday next to report.

The following report was received:

Mr. Speaker: The Committee of the Whole House have had under consideration C.B. Nos. 3, 9 and 10 beg leave to report as follows: Recommend that C.B. No. 3 do not pass; that C.B. No. 9 do not pass; that C.B. No. 10 be amended in title to read: "A bill for an act concerning payment of jurors and witnesses in criminal cases in attendance upon the district courts," and that the bill be recommitted to Judiciary Committee.

Muth,
Chairman

Muth was called to the Chair. H.B. No. 10 was referred to the Committee on Judiciary. Notices of introduction of bills were given as follows:

By Harwood: "A bill for an act to amend Section 12 of an act entitled an act limiting the compensation of certain officers herein named," approved March 12th, 1885. By Armstrong: "A bill concerning fees and salaries of district, county and township officers."

Bills were introduced as follows:

By Armstrong: H. B. No. 45, "An act to amend an act concerning the fees of jurors in civil cases," approved February 21, 1881. By Taylor: H. B. No. 46, "An act to prevent rams to run at large between the first day of August and the first day of December." Also H.B. No. 47, "An act to prevent the abandonment of sheep."

The following communication was received:

Council Chamber
Helena, Montana Territory
February 2, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Bills were introduced as follows:

By Rickards: C. B. No. 24, "A bill for an act relating to the protection, employment, and adoption of children." Ordered printed. By Waters: C. B. No. 25, "A bill for an act to provide for the erection of a territorial

prison and the custody and labor of territorial prisoners." Ordered printed. By Sutherland: C. B. No. 26, "A bill for an act to provide compensation for the assessment of Meagher and Fergus Counties."

Mr. President has signed H. J. R. No. 1 and H. B. No. 15. H. B. No. 3 as amended has passed the Council, and is herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Blake H. B. No. 3, with Council amendments thereto, were placed upon the general orders.

House Bills No. 45, 46 and 47 were read first and second times and ordered printed. H. B. No. 28 was read a third time. Marshall moved that the rules be suspended and the bill be referred to the Committee on Territorial Affairs. Alderson raised the point that it did not require a suspension of the rules. The Chair claimed that to refer the bill back to any committee a suspension of the rules was required. Alderson appealed from the decision of the Chair.

The question being put: "Shall the decision of the Chair be sustained?" The decision was overruled by the following vote:

Ayes: Blake, Hoffman, Johnson, Page, Scobey, Taylor, Titman, White, Mr. Speaker — 9.

Noes: Alderson, Brown, Buskett, Gorham, Hanscomb, Harwood, Holt, Kanouse, Mantle, Marshall, Spaulding, Toole, Wilson — 13.

Absent: Thompson — 1.

Muth in the Chair. H. B. No. 28 was referred to the Committee on Territorial Affairs by the following vote:

Ayes: Alderson, Buskett, Hanscomb, Hoffman, Johnson, Kanouse, Mantle, Marshall, Spaulding, Toole, White, Wilson, Mr. Speaker — 13.

Noes: Blake, Brown, Gorham, Harwood, Holt, Muth, Page, Scobey, Titman — 9.

Absent: Taylor, Thompson — 2.

H. B. No. 30 was read a third time and, on motion of Kanouse, was recommitted to the Committee on Grazing and Stock Growing.

C. J. R. No. 3 was read a third time and lost by the following vote:

Ayes: Scobey — 1.

Noes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Spaulding, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Absent: Taylor, Thompson — 2.

C. B. No. 9 was read a third time and lost by the following vote:

Ayes: None.

Noes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Absent: Taylor, Thompson — 2.

The following report was received:

Mr. Speaker: Your Committee of the Whole House, who have had under consideration, the substitute for H. B. No. 13, ask leave to report the same back with the recommendation that as amended it - do pass.

Toole,
Chairman

Blake moved that the amendments offered by the Committee of the Whole be rejected. On motion of Alderson the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Thompson.

The motion of Blake to reject the amendments offered by the Committee of the Whole to substitute for H.B. No. 13, was adopted by the following vote:

Ayes: Blake, Gorham, Hanscomb, Harwood, Holt, Johnson, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson and Mr. Speaker — 16.

Noes: Alderson, Brown, Buskett, Hoffman, Kanouse, Mantle, Marshall — 7.

Absent: Thompson — 1.

On motion of Blake substitute for H. B. No. 13 was ordered engrossed. The following communication was received:

Council Chamber
Helena, Montana Territory
February 3, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of the introduction of bills were given as follows: By Collins: "A bill to amend Section 1051 of the Revised Statutes of Montana" relating to the revenue. By Sutherlin: "A joint resolution relating to the publication of the Governor's Message."

C. B. No. 5 and Council substitute for H. B. No. 1 passed the Council and are herewith transmitted.

C. B. No. 19 was lost. C. B. No. 16 was ordered printed.

Reuben L. Davis
Chief Clerk

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWENTY-SIXTH DAY

House of Representatives
February 4th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Thompson. Marshall was granted leave of absence for the day. Prayer by the Chaplain. Journal of twenty-fifth day read and approved.

Notices of the introduction of bills were given as follows:

By Harwood: "A bill for an act regulating appeals from orders granting new trials in the District Courts." By Mantle: "A bill for an act concerning obscene literature"; Also, "A Joint Resolution for the relief of Jno. X. Beidler."

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bill No. 41, the same being correctly printed.

Mantle,
Chairman

H. B. No. 41 was referred to the Judiciary Committee. Council substitute for H. B. No. 1 was read, and the original bill failing to accompany the substitute, and the history of the substitute being incomplete, the clerk was ordered to return the same to the Council and ask that the rules be complied with.

C. B. No. 5, "A bill for an act providing for the transfer of certain records relating to the townsite of Butte City," was read first and second times and referred to the Committee on Towns and Counties.

By Hanscomb: H. B. No. 48, "An act to provide for the payment of stock killed or injured by railroads." Read first and second times and ordered printed.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 40, 43 and 44, the same having been correctly printed.

Mantle,
Chairman

H. B. No. 44 was referred to the Committee on Towns and Counties. H. B. No. 43 was referred to the Committee on Grazing and Stock Growing. H. B. No. 40 was referred to the Committee on Education and Labor.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Scobey in the Chair.

House resumed. Mr. Speaker in the Chair. Scobey of the Committee of the Whole house was granted time in which to report.

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWENTY-SEVENTH DAY

House of Representatives
February 5th, 1887

House met pursuant to adjournment, at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Thompson. Prayer by the Chaplain. Journal of the twenty-sixth day was read and approved. Kanouse was excused for the day.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House to whom was referred H. B. No. 22 having carefully considered the same, direct me to report it back with the recommendation that it do not pass.

C. R. A. Scobey,
Chairman

Mr. Speaker: Your Committee of the Whole House, to whom was referred H. B. No. 25, having had the same under consideration, direct me to report it back with the recommendation that it be referred to the Committee on Towns and Counties.

C. R. A. Scobey,
Chairman

Mr. Speaker: Your Committee of the Whole House to whom was referred H. B. No. 3, having had the same under consideration, direct me to report the same back with the recommendation that the House do not concur in the following amendments made to said bill by the Council, To wit: Section 1, line 1, strike out the first word "that"; Also, Section 1, line 3, engrossed bill, insert the word "knowingly" after the word person.

The Committee further recommend that the remaining amendments made by the Council to this bill be concurred in.

C. R. A. Scobey,
Chairman

Mr. Speaker: Your Committee of the Whole House, to whom was referred H.B. No. 26, having given said bill due consideration, direct me to report it back with the recommendation that it pass with the following amendment, to wit: Sect. 2, line 8, of printed bill, strike out word "exhibited," and add same word after the word "Citizen" in line 9.

C. R. A. Scobey,
Chairman

On motion of Blake H. B. No. 22 was laid on the table. H. B. No. 25 was referred to the Committee on Towns and Counties. The amendments reported to H. B. No. 26 were adopted and the bill was ordered engrossed. The recommendation of the Committee of the Whole as to Council amendments to H. B. No. 3 was adopted.

The following report was received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H. J. M. No. 7, also, substitute for H. B. No. 13, and, also, H. B. No. 31 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Notices of introduction of bills were given:

By Blake: "A bill for an act to compile and arrange the general laws of the territory of Montana in force at the commencement of the fifteenth regular session of the Legislative Assembly on the tenth day of January A.D. 1887." Also, "A bill for an act concerning the payment of fines and costs in criminal cases." By Muth: "A bill in relation to the property of non resident minor heirs." By Harwood: "A bill for an act to amend Section 10 of an act entitled an act to create the County of Yellowstone, and for the election of officers thereof," approved, February 26, 1883. Also: "A bill for an act concerning the penalty for the non-payment of taxes."

Harwood introduced H. B. No. 49, "A bill for an act regulating appeals from orders granting new trials in the District Court." Read first and second times and ordered printed.

H. J. M. No. 7 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson and Mr. Speaker — 21.

Noes: None.

Absent: Buskett, Kanouse, Thompson — 3.

Title agreed to.

H. B. No. 31 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 20.

Noes: Alderson — 1.

Absent: Buskett, Kanouse, Thompson — 3.

Title agreed to.

Substitute for H. B. No. 13 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Holt, Johnson, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: Buskett, Hoffman, Mantle — 3.

Absent: Kanouse, Thompson — 2.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 36 and 42 the same being correctly printed.

Mantle,
Chairman

H. B. No. 42 was placed on the general orders. H. B. No. 36 was referred to the Committee on Ways and Means.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 4, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Sutherlin introduced C. J. R. No. 5, "Providing for printing of the Governor's Message and other documents."

H. J. M. No. 6, and H. B. No. 10, as amended have passed the Council, and the same are herewith transmitted.

The Council concurred in House amendment to Council concurrent resolution, relative to examination of books of territorial Auditor and Treasurer.

Reuben L. Davis
Chief Clerk

H. J. M. No. 6 was ordered enrolled. H. B. No. 10 with Council amendments thereto were placed on general orders.

The House resolved itself into a Committee of the Whole for the consideration of General orders, Page in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Territory of Montana
Executive Department
Helena, February 5, 1887

To the House of Representatives:

Gentlemen:

I have the honor to inform you that I have this day approved the following bill and resolution: H. B. No. 15, "An act concerning the time of holding terms of the Supreme Court." H.J.R. No. 1, "Providing for the payment of printing not provided for by the general government."

Very Respectfully,

S. T. Hauser
Governor

On motion of Holt, the House adjourned until 10 a.m. Monday.

David Marks
Chief Clerk

TWENTY-NINTH DAY

House of Representatives
February 7th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the twenty-seventh day read and approved. Leaves of absence for the day were granted to Messrs. Gorham, Marshall and Toole.

The following reports were received:

Mr. Speaker: The Committee on Education and Labor to whom H.B. No. 39 was referred, report the same back recommending that it do not pass, as we question its legality, and deem it class legislation.

Hanscomb,
Chairman

Mr. Speaker: A minority of your committee to whom was referred H. B. No. 39, believing that open saloons, especially during hours of public worship, have a demoralizing effect, beg leave to report the same back and recommend that it do pass.

White

Mr. Speaker: Your Committee on Territorial Affairs to whom was referred H. B. No. 28, ask leave to report the same back, and recommend the following amendments:

In line 5, Section 1, strike out the word "exclusive," in printed bill. Add after the word "road", in line nine, Section one of printed bill, as follows: "Provided further, that each railroad company shall complete the whole line of its road, within seven years from the passage of this act, in the case of companies already organized, and within seven years from the date of filing articles of incorporation in the case of companies hereafter organized;". And as thus amended we recommend that the bill do pass.

J. R. Toole,
Chairman

Blake offered the following additional amendment to H. B. 28, which in addition to the report of the Committee on Territorial Affairs, were adopted; and the bill was ordered engrossed. "Section 2 - That any railroad corporation now or hereafter organized under the laws of this territory for the purpose of building railroads, which extend upon Indian or Military reservations within this territory, shall not forfeit its charter, or any rights or privileges, by reason of its failure to build and complete any portion of its road upon such reservations, until a grant of a right of way therefor has been obtained from the United States, or any parties authorized to act therein; and thereafter the provisions of this act shall be applicable to said corporations."

H. B. No. 39, with the majority and minority reports of the Committee on Education and Labor thereon were placed on the general orders.

The following reports were received:

Mr. Speaker: Your Committee on Towns and Counties to whom was referred H. B. No. 25, have considered the same, and beg leave to report the accompanying substitute therefor and recommend that the substitute do pass.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Towns and Counties, to whom was referred H. B. No. 44, have considered the same and beg leave to report the bill back to the House with the accompanying amendments, and recommend that the same, as amended, do pass.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Towns and Counties have considered H. B. No. 37 and beg leave to report the accompanying substitute therefor, and recommend that the substitute do pass.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Towns and Counties to whom was referred C. B. No. 4, have considered the same, and beg leave to report that one member of your Committee has been unable to attend its meetings; that the remainder are equally divided respecting the merits of the bill; and therefore your committee report the bill back to the House without recommendation.

J. F. Taylor,
Chairman

The substitute reported to H. B. No. 25 by the Committee on Towns and Counties on motion of Kanouse, was adopted and the bill was ordered engrossed.

On motion of Blake the amendments reported by the Committee on Towns and Counties to H. B. No. 44, were adopted and the bill was placed on the general orders.

On motion of Buskett H. B. No. 37, with the substitute reported by the Committee on Towns and Counties, was placed on the general orders. C. B. No. 4 was placed on the general orders.

Notices of the introduction of bills were given as follows:

By Harwood: "A bill for an act to amend Sections 983, 984, 985, 986, 987, 988, 989, 990, and 991 of Chapter Fifty-one (51) of the Fifth Division of the Revised Statutes of Montana." By Thompson: "A bill to prevent double taxation."

Buskett gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day of this session offer a resolution to appoint a joint committee of 3 from the House and two from the Council to visit the penitentiary and insane asylum and report upon their conduct and condition.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having had under consideration H. B. No. 42, "An act regulating elections," herewith transmit the same, with amendments, and respectfully recommend that it do pass as amended.

Page,
Chairman

H. B. No. 42 was ordered engrossed.

Bills were introduced as follows:

By Armstrong: H. B. No. 50, "An act concerning the fees and compensation of certain district and county officers." By Harwood: H. B. No. 51, "A bill for an act to amend an act entitled an act limiting the compensation of certain officers," approved March 12, 1885. By Muth: H. B. No. 52, "An act to amend Sections 396 and 397 of the Second Division of the Statutes of Montana Territory." By Mantle: H. B. No. 53: "A bill for an act concerning obscene literature." By Blake: H.B. No. 54, "An act to compile and arrange the general laws of the Territory of Montana in force at the commencement of the fifteenth regular session of the Legislative Assembly on the tenth day of January, A.D. 1887."

House Bills 50, 51, 52 and 53 were read first and second times and ordered printed.

On motion of Blake the rules were suspended, H. B. No. 54 was read first and second times by title and referred to Committee on Judiciary.

H. J. R. No. 2, "For the relief of John X. Beidler" was introduced by Mantle, read first and second times and referred to Committee on Ways and Means.

On motion of Alderson the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTIETH DAY

House of Representatives
February 8th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of twenty-ninth day read and approved.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 26 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Spaulding presented the following resolution which on motion of Blake was adopted:

"Whereas, the members of this House have learned with profound sorrow of the death of Hon. Frank L. Worden, of Missoula, an honored ex-member of the legislature of this territory, a man possessed of many sterling qualities, and one who performed most valuable services to the territory in the infancy of its development; therefore be it Resolved, by the House of Representatives of the Territory of Montana, that we extend our heartfelt sympathy to the widow and children of the deceased to whom we direct the clerk of this House to send a copy of the preamble and resolution herewith."

Harwood introduced H. B. No. 55: "A bill for an act to authorize the organization and incorporation of building and loan associations." On motion of Blake, the rules were suspended and the bill was read first and second times by title and ordered printed.

Alderson moved that the rules be suspended and that H. B. No. 26 be read a third time by title - Motion lost.

H. B. No. 26 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Hanscomb, Harwood, Hoffman, Page, Scobey, Spaulding, Thompson, Toole, Wilson — 13.

Noes: Gorham, Holt, Johnson, Kanouse, Marshall, Muth, Taylor, Titman, and Mr. Speaker — 9.

Absent: Mantle, White — 2.

Title agreed to.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 7, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: A communication from the Governor, with resolution therein mentioned, were received and referred to Committee on Grazing and Stock Growing.

That said Committee reported back, and introduced C. J. R. No. 6:

"Authorizing the appointment of a committee to confer with the authorities of Dakota in relation to measures for the prevention and suppression of contagious diseases among live stock;" which was read first and second times and under suspension of the rules, considered engrossed, read third time and passed. Title agreed to. And the same with copy of communication from the Governor, and accompanying joint resolution, are herewith transmitted.

Sutherlin introduced C. B. No. 27: "A bill for an act to punish persons for making fraudulent pedigrees of live stock." Ordered printed. The Council receded from the first amendment to H.B. No. 3, Section 1, line 1: strike out the first word "that", and refuses to recede from the second amendment to the bill.

C. B. No. 20 has passed the Council and is herewith transmitted.

Reuben L. Davis
Chief Clerk

A copy of a communication from the Governor and a resolution passed by the Legislative Assembly of Dakota were read.

C. J. R. No. 6, "Authorizing the appointment of a committee to confer with the authorities of Dakota in relation to measures for the preventing and spread of contagious diseases among live stock," was read first and second times and on motion of Holt, the rules were suspended, the bill was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Kanouse, Johnson, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Mantle, White — 2.

Title agreed to.

C. B. No. 20: "A bill for an act to amend Section 371 of the Fifth Division of the Revised Statutes," was read first and second times and referred to the Committee on Ways and Means.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 8, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: C. J. M. No. 2 asking that the office of U. S. Surveyor General of the Territories be not abolished, was (by unanimous consent) introduced by Collins, read first and second times (rules suspended) considered engrossed, (rules suspended) read the third time and passed, and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

C. J. M. No. 2, "Asking that the office of U. S. Surveyor General in the territories be not abolished," was read first and second times, and, on motion of Page the rules were suspended, and the memorial was read a third time, and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood,

Hoffman, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Thompson, Titman, Toole, Wilson, Mr. Speaker — 20.

Noes: None.

Absent: Holt, Mantle, Taylor, White — 4.

Title agreed to.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 8, 1887

Mr. Speaker:

I am instructed by the Council to transmit to your honorable body H. B. No. 3, and herewith enclose the same.

Reuben L. Davis
Chief Clerk

In conformity with C. C. R. to appoint a Joint Committee to examine the books of the territorial Auditor and Treasurer the Chair appointed Messrs. Muth, Scobey and Thompson.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Blake the House insisted in its non-concurrence to Council amendments to H. B. No. 3, and asked for a committee of conference.

The following report was received:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined H. J. Memorial No. 6, and find the same correctly enrolled, and herewith present the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. J. M. No. 6.

Toole moved to reconsider the vote by which H. B. No. 26 had passed the House. Blake moved to lay the motion to reconsider on the table, which motion was lost by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Hanscomb, Harwood, Hoffman, Page, Scobey, Spaulding, Thompson — 11.

Noes: Gorham, Holt, Johnson, Kanouse, Marshall, Muth, Taylor, Titman, Toole, Wilson, Mr. Speaker — 11.

Absent: Mantle, White — 2.

On motion of Blake the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The motion of Toole to reconsider the vote by which the House passed H. B. No. 26, was lost by the following vote:

Ayes: Gorham, Hoffman, Holt, Johnson, Kanouse, Marshall, Muth, Taylor, Titman, White, Wilson, Mr. Speaker — 12.

Noes: Alderson, Blake, Brown, Buskett, Hanscomb, Harwood, Mantle, Page, Scobey, Spaulding, Thompson, Toole — 12.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 45, 46 and 47 the same being correctly printed.

Mantle,
Chairman

H. B. No. 45 was referred to the Committee on Judiciary. H.B. Nos. 46 and 47 were referred to Committee on Grazing and Stock Growing.

On motion of Taylor the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-FIRST DAY

House of Representatives
February 9th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker being absent the House was called to order by the Chief Clerk.

On motion of Blake, Kanouse was chosen as Speaker pro tem for the day. Roll called. Quorum present. Prayer by the Chaplain. Journal of the thirtieth day read and approved. Mr. Speaker was granted leave of absence for the day.

A petition from citizens of Boulder in reference to "the protection of women," and also one in reference to the passage of a local option law were read and referred to the Committee on Education and Labor.

A petition from citizens of Butte relating to the passage of a law for the "protection of miners," was read and referred to the Committee on Education and Labor.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 28, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Education and Labor to whom was referred H. B. No. 35, concerning "A bill for an act for liens for mechanics and others," have had the same under consideration, and beg leave to report it back to the House, and recommend that the same do pass as amended.

C. W. Hanscomb,
Chairman

On motion of White the amendments offered to H. B. No. 35 were adopted and the bill was placed on the general orders.

Notices of introduction of bills were given as follows:

By Muth: "A bill for the relief of Messrs. Fisk Bros." By Gorham: "A bill for an act concerning the Lord's Day." By Wilson: "A bill for an act to amend an act concerning the representation of quartz lodes." By Toole: "A bill relating to marriage license."

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 53, 48, 51 and 49 the same having been correctly printed.

Mantle,
Chairman

H. B. No. 53 was referred to the Committee on Education and Labor. H. B. No. 48 was referred to the Committee on Grazing and Stock Growing. H. B. No. 51 was referred to the Committee on Towns and Counties. H. B. No. 49 was referred to the Committee on the Judiciary.

Bills were introduced as follows:

By Harwood: H. B. No. 56, "A bill for an act to amend an act entitled an act to create the County of Yellowstone, and for the election of officers thereof." By Joint Library Committee: H. B. No. 57, "An act re-organizing and consolidating the Montana Library."

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred substitute to H. B. No. 25, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs who have had under consideration H. B. No. 23, entitled "An act for the greater security of life by providing for the use of safety cages and iron bonnets in vertical shafts, where iron mining cages are used, of more than three hundred feet in depth," ask leave to report the same back with the recommendation that it do pass.

Toole,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs who have had under consideration the substitute for H. B. No. 6; entitled "An act to repeal certain sections of the Fourth Division of the Revised Statutes of Montana," ask leave to report the same back with the following amendment: In Section one in line twenty-two of the written bill, strike out the word "three", and insert in lieu thereof the word "one"; and as thus amended we recommend that said substitute do pass.

Toole,
Chairman

H. B. No. 23 was placed upon the general orders. Blake moved to reject the amendment reported by the Committee on Territorial Affairs to H. B. No. 6, which motion was lost by the following vote:

Ayes: Alderson, Blake, Hanscomb, Page, Scobey, Spaulding, Thompson — 7.

Noes: Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Taylor, Titman, Toole, White, Wilson — 16.

Absent: Mr. Speaker — 1.

On motion of Marshall the report was adopted and the bill was ordered engrossed.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 8, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Collins presented petition of citizens of Choteau County for passage of law prohibiting employment of women and minors in public drinking resorts.

Rickards gave notice of introduction of "A bill for an act relating to the formation of municipal corporations."

Bills were introduced as follows:

By Collins: C. B. No. 28, "A bill for an act entitled an act to amend Section 1051 of the Fifth Division of the Revised Statutes of Montana." By Kennedy: C. B. No. 29, "An act concerning records of mining locations."

Mr. President has signed C. B. No. 3.

I am directed to return H. J. M. No. 7, the history of which does not show its passage by the House, and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

House Bills Nos. 56 and 57 were read first and second times and ordered printed.

H. B. No. 25 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 22.

Noes: None.

Absent: Holt, Mr. Speaker — 2.

Title amended by striking out the words: "substitute for." H. B. No. 28 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Taylor, Thompson, Titman, Toole, White, Wilson — 18.

Noes: Alderson, Buskett, Hanscomb, Scobey, Spaulding — 5.

Absent: Mr. Speaker — 1.

Title amended to read: "An act concerning railroad incorporations."

Mr. Speaker, pro tem, signed C. J. M. No. 2.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Mantle in the Chair.

House resumed. Mr. Speaker, pro tem, in the Chair. Mantle, of the Committee of the Whole, reported progress and was granted leave to sit again.

On motion of Marshall the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-SECOND DAY

House of Representatives
February 10th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the thirty-first day read and approved. The Chaplain was granted a leave of absence until Monday next.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 42 and H. B. No. 6 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Ways and Means having had under consideration C. B. No. 20, recommend that the same do not pass.

Kanouse,
Chairman

Mr. Speaker: Your Committee on Ways and Means to whom was referred H. B. No. 21, "An act for the relief of Ansalem J. Davidson and William N. Baldwin," beg leave to report the following facts in connection with the claim embodied in said bill:

1st - That on July 18, 1882, A. J. Davidson and William N. Baldwin, the beneficiaries named in the bill, entered into a contract with the Territory of Montana for the labor of territorial convicts for a period of two years from the 1st day of October, 1882.

2nd - That on or about September 15, 1882, the said Davidson and Baldwin, in view of the agreements upon their part in said contract contained, proceeded to erect necessary buildings, purchase stock, tools and fixtures necessary for the employment and labor of said convicts in the occupation of "Harness Makers" at an expense as follows:

On account of Mdse.	9,110.52
" " " Building	574.27
" " " Warehouse	652.75

3rd - That thereafter, to-wit: on April 2, 1883 the officer in charge of convicts authorized and acting as such on the part of the Territory of Montana, refused to longer allow such convicts to labor in pursuance of said contract.

4th - That by reason of such refusal upon the part of said Territory to longer comply with the conditions of said contract the business Davidson and Baldwin done under and in pursuance of the same was terminated.

5th - That the books containing the records and accounts of said business have been examined, and so far as your committee are able to determine contain true and correct accounts thereof: That the closing and balancing of said books, completed August 18, 1883, show that the loss in said business done as aforesaid had been \$2550.38, which \$658.75 the cost of a warehouse yet on hand, owned by said Davidson and Baldwin, and

of the present probable value of \$200.00, which deducted from the apparent loss leave \$2350.38.

Your committee further find that pursuant to the conditions of their said contract, Davidson and Baldwin made and filed with the Auditor of the Territory a bond in the penal sum of one thousand dollars conditioned for the performance of the covenants upon their part in the said contract contained.

In order to conform the proposition in this bill to the requirements of Rule 4 of Joint Rules of the Council and House, your committee have prepared and herewith report a house joint resolution covering the subject matter of this bill, which they recommend be adopted as a substitute therefor.

Kanouse,
Chairman

Mr. Speaker: Your Committee on Incorporations to whom was referred H. B. No. 24 beg leave to report same back with substitute and recommend that the substitute do pass.

Muth,
Chairman

Mr. Speaker: Your Committee on Incorporation have had under consideration H. B. No. 29, and beg leave to report same back with following amendments, to wit:

Sec. 1. Strike out the words: "of Article 3 of Chapter Fifteen;" Also, strike out the words: "or of the state which shall succeed it," wherever found.

Sec. 2. Strike out the words: "A majority," in line 21 of printed bill, and insert in lieu thereof the words "three-fifths." Strike out the words "or of the state which shall succeed it," wherever found.

Sec. 3. Strike out the words: "a majority" in line 9 of the printed bill, and insert in lieu thereof the words "three-fifths."

Sec. 5. Strike out the words: (beginning in line 11 of printed bill): "upon property rights and franchises of the company of whatever nature or kind afterwards acquired, as well as." Strike out the words "or of the state which shall succeed it."

Strike out Section 6.

Strike out Section 8.

We recommend that the bill with above amendments do pass.

Muth,
Chairman

Mr. Speaker: Your Committee on Towns and Counties having had under consideration Council Bill No. 5 return the same to the House with the recommendation that it be referred to a select committee consisting of the members from Silver Bow and Deer Lodge Counties.

J. F. Taylor,
Chairman

H. B. No. 21, with the report of the Committee of Ways and Means thereon, was placed upon the general orders.

C. B. No. 20 was placed on the general orders.

H. B. No. 24 with the report of the Committee on Incorporations thereon was placed on the general orders.

H. B. No. 29 with the report of the Committee on Incorporations thereon was placed on the general orders.

The report of the Committee of Towns and Counties on C.B. No. 5 was adopted, and the bill was referred to the members from Silver Bow and Deer Lodge Counties.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having considered H. B. No. 37, for "An act limiting the compensation of certain officers named herein" and a "substitute" therefor and have directed me to report recommending that said substitute be adopted and that it do pass.

Kanouse,
Chairman

The substitute for H. B. No. 37 was adopted and the same was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Marshall: "A bill for an act to amend an act authorizing the Governor to contract for the keeping and maintenance of territorial prisoners." Also: "A bill for an act to amend the law on the subject of publication of Summons." Also: "A bill for an act to amend the law concerning the appointment of guardians for the insane." By Harwood: "A bill for an act to amend an act entitled, an act to authorize county commissioners to issue bonds to redeem outstanding indebtedness," approved March 6, 1883.

Bills were introduced as follows:

By Gorham: H. B. No. 58, "A bill for an act concerning the Lord's Day." By Wilson: H. B. No. 59, "An act to amend an act concerning the representation of Quartz Lodes."

The following communication was received:

Council Chamber
Helena, Montana Territory
February 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Mr. President has signed H. J. M. No. 6. By unanimous consent Collins introduced C. J. R. No. 7, "To defray the expenses of telegraphing C. J. M. No. 2 to our Delegate in Congress," which was read first and second times and (under suspension of the rules) considered engrossed, read third time and passed and the same is herewith transmitted.

Messrs. Sutherland and Holliday were appointed a committee of conference in regard to H. B. No. 3.

C. J. M. No. 1 has passed the Council and is herewith transmitted.

Reuben L. Davis
Chief Clerk

C. J. M. No. 1, "Asking for an appropriation for the Yellowstone National Park," was read first and second times and referred to the Committee on Federal Relations.

C. J. R. No. 7, "To defray the expenses of telegraphing C.J.M. No. 2 to our delegate in Congress." was read first and second times and on motion of Harwood, the rules were suspended, the resolution was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Mr. Speaker — 23.

Noes: None.

Absent: Wilson — 1.

Title agreed to.

House Bills Nos. 58 and 59 were read first and second times and ordered printed. H. B. No. 6 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: Page, Scobey, Spaulding, Thompson — 4.

Absent: Hanscomb — 1.

Title amended so as to read "An act to repeal Sections 201 and 202 and to amend Sections 198, 199 and 200 of the Fourth Division of the Revised Statutes."

H. B. No. 42 was read a third time. By unanimous consent the following amendment offered by Harwood was adopted: Amend Sections 1 and 2 by inserting "Election" before the words "townships or precincts."

Buskett offered an additional section as an amendment which was objected to by Marshall. Brown offered amendments by inserting the words "special or" before the word "Election."

On motion of Muth the bill was recommitted to the Committee on Engrossment.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Mantle in the Chair.

House resumed. Mr. Speaker in the Chair. Mr. Speaker announced the signing of C. J. R. No. 6.

Mantle of the Committee of the Whole reported progress, and the Committee was granted leave to sit again.

On motion of Marshall the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-THIRD DAY

House of Representatives
February 11th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of the thirty-second day read and approved. Brown moved that the House do now adjourn sine die.

The Chair declared motion out of order.

The Chair announced as Conference Committee on the part of the House on H. B. No. 3, Blake and Brown.

The following reports were received:

Mr. Speaker: The Committee on Education and Labor to whom House Bills Nos. 40 and 53 were referred have had the same under consideration and beg leave to report them back and recommend their passage.

Hanscomb,
Chairman

Mr. Speaker: A majority of your Committee on Ways and Means to whom was referred H. J. R. No. 2, "for the relief of John X. Beidler" have considered the same and recommend that it be amended by adoption of amendment herewith accompanying, and that as so amended it do pass.

J. W. Buskett
W. W. Alderson
J. M. Holt

Mr. Speaker: Your Committee on Judiciary to whom was referred H. B. No. 54, beg leave to report the same back and recommend its passage.

Marshall,
Chairman

Mr. Speaker: Your Committee on Towns and Counties having had under consideration H. B. No. 51, report the same back with the recommendation that it - do pass.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred H. B. No. 17, beg leave to report the same back, and recommend that it - do not pass, as the committee are of the opinion that it is a special or local law, and entertain grave doubts as to the power of the legislative assembly to enact it because its provisions appear to conflict with the Act of Congress entitled "An act to prohibit the passage of local or special laws in the territories of the United States, to limit territorial indebtedness, and for other purposes," approved July 30, 1886.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 33, beg leave to report the same back recommending that it be referred to the Committee on Ways and Means.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 45, beg leave to report the same back with the accompanying amendment, and recommend that as amended it - do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred Council Bill No. 14, beg leave to report the same back with the accompanying amendments, and recommend that as amended the bill do pass.

Marshall,
Chairman

House Bills Nos. 40, 53, 54, 51, 45 with amendments, H. J. R. No. 2 with amendments, and C. B. No. 14, with amendments, were placed upon the general orders.

On motion of Blake H. B. No. 17 was laid on the table.

H. B. No. 33 was referred to Committee on Ways and Means.

The following reports were received:

Mr. Speaker: Your Committee of the Whole having had under consideration House Bill No. 44 "An act to amend Section 380, Article 2, Revised Statutes of Montana Territory," have directed me to report the same back to the House with the recommendation that as amended by the Committee on Towns and Counties it do pass.

Mantle,
Chairman

Mr. Speaker: The Committee of the Whole having had under consideration H. B. No. 39, "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday," have directed me to report the same back to the House with the recommendation that the same be recommitted to a special committee of four to be named by the Speaker.

Mantle,
Chairman

On motion of Scobey the amendments to H. B. No. 44 were adopted, and the bill was ordered engrossed.

The report of the Committee of the Whole on H. B. No. 39 was adopted and the bill was referred to Messrs. Harwood, Marshall, Thompson and White.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 52 the same having been printed.

Mantle,
Chairman

H. B. No. 52 was referred to the Committee on Judiciary.

The following report was received:

Mr. Speaker: Your Special Committee to whom was referred House Bill No. 20 beg leave to report the same back with the accompanying substitute, and recommend that the substitute be adopted.

Marshall,
Chairman

The substitute offered to H. B. No. 20 was read, adopted and ordered printed.

Alderson gave notice as follows:

Mr. Speaker: I desire to give notice that on tomorrow or some subsequent day during the session, I will introduce a bill for an act to encourage the constructing of irrigating canals; Also, A H. J. Memorial to the Interior Department regarding the Fort Ellis Military reservation.

Alderson

Marshall introduced the following resolution:

Resolved by the House, the Council concurring:

"That there be a Joint Committee of 5 appointed, consisting of 3 members of the House and two of the Council to wait upon his Excellency, Preston H. Leslie, and invite that gentleman, to meet the two Houses in joint session at as early a day as will conveniently suit him."

On motion of Blake the consideration of the resolution was postponed until tomorrow.

Buskett introduced the following resolution which was adopted:

Resolved, by the House of Representatives, the Council concurring that a Joint Committee composed of five members of the House and three from the Council, be and are hereby appointed to proceed to the penitentiary and asylum for the insane, and make a thorough examination of the manner of conducting said institutions, together with the capacity and needs of the buildings to comfortably care for the inmates, and report to the legislative assembly the result of their investigations, together with such recommendations as they may deem necessary by bill or otherwise.

Buskett

The following communication was received from the Governor:

Territory of Montana
Executive Department
Helena, February 11, 1887

Gentlemen of the Council and House of Representatives:

Having taken the oath as required by law, and entered upon the duties of the office of Governor of the Territory of Montana, and finding you, the legislative branch of the government of said territory in regular session, I hereby make known to you that I have selected and shall trust my friend Harry L. Luke to be and act as private secretary of the Governor, and through and by him will communicate to you such information from time to time during this session of your service as shall seem to be proper from the Executive Department of the government.

Respectfully,
P. H. Leslie

The following communication was received:

Council Chamber
Helena, Montana Territory
February 10, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Rickards: "A bill for an act relating to changing names of persons and places;" Also, "A bill for an act providing for the adoption of children." By Pardee: "A bill for an act increasing the salary of the Territorial Treasurer;" Also, "A bill for an act to increase the bond of the Territorial Treasurer."

Cardwell by consent introduced C. J. M. No. 3, "Relative to pioneer settlers of the Yellowstone National Park."

C. J. R. No. 5 (with title amended) so as to read "Providing for printing the Governor's Message", H. B. No. 5, as amended, and C. B. No. 23, have passed the Council and the same are herewith transmitted.

Mr. President has signed C. J. R. No. 6.

Reuben L. Davis
Chief Clerk

Council J. R. No. 5, "Providing for the printing of the Governor's Message" was read first and second times and referred to the Committee on Ways and Means.

C. B. No. 23: "A bill for an act to punish seduction," was read first and second times and referred to the Committee on Internal Improvements.

H. B. No. 5 with Council amendments thereto were placed upon the general orders.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Mantle in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Marshall the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Alderson and Hoffman were granted leaves of absence for tomorrow.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Toole in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 11, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that the Council received a message from the Governor of which a copy is herewith transmitted.

Notices of introduction of bills were given as follows:

By Rickards: "A bill for an act to amend Section 504, of the Fifth Division of the Revised Statutes." By Sutherlin: "A bill for an act to restrict the use of poison for bait in killing wild animals."

Bills were introduced as follows:

By Pardee: C. B. No. 30, "A bill for an act to amend Sections 77 and 81 of the Fifth Division of the General Laws of Montana, increasing the salary and bonds of the Territorial Treasurer." By Rickards: C. B. No. 31, "A bill for an act to authorize the changing the names of persons and places." By Rickards: C. B. No. 32, "A bill for an act providing for the adoption of children."

On motion of Pardee a resolution was adopted requesting the Governor to furnish the legislature, at his earliest convenience a statement of all fees and emoluments of the offices of Territorial Auditor and Treasurer for the years 1885 and 1886; and that the Secretary of the Territory furnish the legislature with a copy of the reports of the Governor in regard to said offices, as required by Section 85 of the Fifth Division of the General Laws of Montana.

C. B. No. 6 was lost in the Council.

C. J. R. No. 6, and C. B. No. 3, have been approved by the Governor.

C. J. M. No. 3 has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

C. J. M. No. 3, "Relative to pioneer settlers of the National Park," was read first and second times and referred to the Committee on Federal Relations.

On motion of Gorham the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-FOURTH DAY

House of Representatives
February 12th, 1887

House met pursuant to adjournment at 10:00 o'clock, a.m. Mr. Speaker in the Chair. Roll Called. Quorum present. Absent on leave: Alderson and Hoffman. Prayer by the Chaplain. Journal of thirty-third day read and approved.

The following report was received:

Mr. Speaker: Your Committee on Internal Improvements have had under consideration C. B. No. 23: "A bill for an act to punish seduction," and beg leave to report the same back and recommend its passage.

Scobey,
Chairman

C. B. No. 23 was placed upon the general orders.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 5 with Council amendments and direct me to report the same back, with the recommendation that said amendments be not concurred in, and that the Council be asked to recede from the same.

Toole,
Chairman

Mr. Speaker: Your Committee of the Whole House who have had under consideration C. B. No. 20, entitled "An act to amend Section 371 of the Fifth Division of the Revised Statutes," instruct me to report the same back with the recommendation that it do not pass.

Toole,
Chairman

Mr. Speaker: Your Committee of the Whole House have had under consideration H. J. R. No. 2, "for the relief of John X. Beidler," and instruct me to report the same back with accompanying amendment and recommend that as thus amended it do pass.

Toole,
Chairman

The report of the committee on H. B. No. 5 was adopted. H.J.R. No. 2 amendments were adopted and the resolution was ordered engrossed.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having had under consideration H. B. No. 35, "A bill for an act for liens of mechanics and others," have directed me to report the same back with the recommendation that it be referred to a select committee of three (3).

Mantle,
Chairman

On motion of Buskett the report was adopted and the bill was referred to Messrs. Blake, Gorham and Toole.

White gave notice as follows:

Mr. Speaker: I will on Monday or some subsequent day of this session ask leave to introduce "A bill to amend Section 648, Fifth Division Revised Statutes of the Territory of Montana."

Bills were introduced as follows:

By Muth: H. B. No. 60, "An act for the relief of Fisk Bros." Also: H. B. No. 61, "An act to amend an act entitled, an act to enable the County of Lewis and Clarke to build a court house." By Harwood: H. B. No. 62, "A bill for an act to amend an act to authorize county commissioners to issue bonds to redeem outstanding indebtedness," approved March 6th, 1883.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 11, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Bills were introduced as follows:

By Thompson: C. B. No. 33, "An act relating to the assessment and levy of taxes." By Rickards: C. B. No. 34, "A bill for an act to amend Sec. 504 of the Fifth Division of the Revised Statutes."

Council Bills Nos. 30, 31, 32, 33, and 34 were ordered printed.

Reuben L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 50, 56, 57 all having been correctly printed.

Mantle,
Chairman

House Bills 50 and 56 were referred to the Committee on Towns and Counties. H. B. No. 57 was referred to the Committee on Ways and Means. House Bills 60, 61, and 62 were read first and second times and ordered printed. C. B. No. 20 was read a third time and lost by the following vote:

Ayes: Brown, Gorham, Page, Spaulding, Thompson, Mr. Speaker — 6.

Noes: Blake, Buskett, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Taylor, Titman, Toole, White, Wilson — 15.

Absent: Alderson, Hanscomb, Hoffman — 3.

The following communication was received:

The Territory of Montana
Governor's Office
Helena, February 12, 1887

To the House of Representatives:

I have the honor to inform the House of Representatives that I have on this day approved "House Joint Memorial" No. 6, "relating to the extension of the public surveys," and my approval is endorsed upon each one of the four copies thereof which came to my hands.

Respectfully,

P. H. Leslie
Governor

Mr. Speaker announced the signing of C. J. R. No. 7.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Mantle H. J. R. No. 2 was recalled from the Committee on Engrossment. The resolution was amended by inserting the words: "twenty-five hundred" in lieu of "five thousand" wherever it occurred. The resolution was again ordered engrossed.

On motion of Buskett the House adjourned until 10 a.m. Monday.

David Marks
Chief Clerk

THIRTY-SIXTH DAY

House of Representatives
February 14th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Holt was granted a leave of absence until Wednesday next. Prayer by the Chaplain. Journal of thirty-fourth day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Ways and Means to whom was referred C. J. R. No. 5, "For printing 1000 copies of the Governor's Message," believing that the public demand for said message has been well supplied by the newspapers of the Territory are of the opinion that an expenditure of the public money for such purpose would not be advisable and they recommend that said resolution do not pass.

Kanouse,
Chairman

Mr. Speaker: Your Committee of the Whole House have considered H.B. No. 54 and direct me to report the same back with the recommendation that it do pass.

C. R. A. Scobey,
Chairman

Mr. Speaker: Your Committee of the Whole House to whom was referred H. B. No. 21 direct me to report the same back with a recommendation that H. J. R. No. 3 be substituted for said bill, and that the words "fifteen hundred" be inserted after the words the "sum of" in Sec. 1, line 3; Also the words "fifteen hundred" after the words "sum of" in section 2, line 4, of said joint resolution and that said resolution do pass as amended.

C. R. A. Scobey,
Chairman

C. J. R. No. 5 was placed upon the general orders.

On motion of Blake the rules were suspended and H. B. No. 54 was considered engrossed and placed on the calendar for a third reading.

On motion of Blake H. J. R. No. 3, as reported by the Committee of the Whole, was adopted as a substitute for H. B. No. 21, and the same was ordered engrossed.

The following reports were received:

Mr. Speaker: Your Committee on Grazing and Stock-growing to whom was referred House Bill No. 43 beg leave to report the same back with accompanying amendments and recommend that as amended the same do pass.

Holt,
Chairman

Mr. Speaker: Your Committee on Grazing and Stock-growing to whom

was referred H.B. No. 47 beg leave to report the same back with amendment, and, as amended, recommend that the same do pass.

Holt,
Chairman

Mr. Speaker: Your Committee on Grazing and Stock-growing to whom was referred H.B. No. 46 beg leave to report the same back, with accompanying amendments, and, as amended, recommend that the same do pass.

Holt,
Chairman

H. B. No. 43, as amended; H. B. No. 47, as amended and H. B. No. 46, as amended were placed upon the general orders. Muth was called to the Chair by Mr. Speaker.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom were referred H. J. R. No. 2, H. B. 37, H. B. No. 42 and H. B. No. 44, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Towns and Counties to whom was referred C. B. No. 11, "An act to create the County of Park, and for the election of officers thereof," have considered the same, and beg leave to report the bill back to the House with the accompanying amendment, and recommend that as so amended the bill do pass.

J. F. Taylor,
Chairman

On motion of Armstrong C. B. No. 11, with the amendments reported thereto, was referred to a special committee consisting of the members of Gallatin County.

Notices of the introduction of bills were given as follows:

By Marshall: "A bill for an act creating the office and defining the duties of Attorney General of the Territory." By Page: "A bill for an act to provide for preventing the evils of intemperance by local option in any county in this Territory by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county, to provide penalties for its violation, and other purposes."

Bills were introduced as follows:

By White: H. B. No. 63, "An act to amend 648 of the Fifth Division of the Revised Statutes of Montana." By Marshall: H. B. No. 64, "An act concerning the publication of summons."

The following communication was received:

Council Chamber
Helena, Montana Territory
February 12, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The vote by which Council Bill No. 6 was lost has been reconsidered. H. B. No. 1 (as amended) and C. B. No. 16 have passed the Council and the same are herewith transmitted.

Mr. President has signed C. J. R. No. 7.

Rickards gave notice of introduction of "A bill for an act relating to our National Guard."

Reuben L. Davis
Chief Clerk

H. B. No. 1, with Council amendments thereto was placed on the general orders.

On motion of Blake C. B. No. 16: "A bill for an act concerning banks and banking," was under a suspension of the rules, read a first and second time by title and referred to the Committee on Incorporations. H. Bills Nos. 63 and 64 were read first and second times and ordered printed. H. B. No. 37 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: Spaulding — 1.

Absent: Alderson, Hoffman, Holt, Mantle — 4.

Title agreed to.

H. B. No. 42, on motion of Blake, was under a suspension of the rules, read a third time by title and passed by the following vote:

Ayes: Blake, Brown, Buskett, Hanscomb, Harwood, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 14.

Noes: Gorham, Johnson, Kanouse, Marshall, Muth, Mr. Speaker — 6.

Absent: Alderson, Hoffman, Holt, Mantle — 4.

Title agreed to.

H. B. No. 44 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 20.

Noes: None.

Absent: Alderson, Hoffman, Holt, Mantle — 4.

Title agreed to.

H. J. R. No. 2 was read a third time and on motion of Kanouse, further consideration of the same was postponed until Thursday the 17th inst.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Marshall in the Chair.

House resumed. Mr. Speaker in the Chair. Marshall of the Committee of the Whole reported progress, and the committee was granted leave to sit again.

On motion of Toole the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Mantle was granted an indefinite leave of absence.

The following report was received:

Mr. Speaker: Your Committee on Printing to whom was referred H. B. No. 59 and H. B. No. 55, would respectfully report the same back to the House as correctly printed.

Alderson,
Chairman, pro tem

H. B. No. 59 was referred to the Committee on Mines and Minerals.
H. B. No. 55 was referred to the Committee on Incorporations.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 14, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Council Bill No. 22 has passed the Council and is herewith transmitted.

House Bill No. 5 is herewith transmitted, the Council refusing to recede from its amendments.

Very Respectfully,

Reuben L. Davis
Chief Clerk

On motion of Blake, the House insisted on its non-concurrence in Council amendments to H. B. No. 5, and asked for a Committee of Conference.

On motion of Blake the rules were suspended, H. B. No. 54 was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: None.

Absent: Holt, Mantle, Taylor — 3.

Title agreed to.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 14, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of the introduction of bills were given as follows:

By Collins: "A bill for an act to prohibit the sale of intoxicating liquors to certain persons outside the limits of incorporated towns or cities or any legally established townsite wherein is established a post office." Also, "A bill regulating liquor licenses." Also, "A bill providing a registration law for Montana." Also, "A bill creating the office of Attorney General." Also, "A bill providing for taking the census of Montana during 1887." Also, "A bill for enlarging the powers and duties of county clerks." By Sutherlin: "A bill for an act to amend Section 968 of the Fifth Division of the Revised Statutes;" Also, "A bill for an act to suppress and prevent the dissemination of scab and contagious or infectious diseases among sheep." By Cardwell: "A bill for the care and support of orphan children."

Respectfully,

Reuben L. Davis
Chief Clerk

The House resolved itself into a Committee of the Whole for the further consideration of general orders. Marshall in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

The Territory of Montana
Governor's Office
Helena, February 14, 1887

Gentlemen of the House of Representatives:

On the 11th day of February 1887, there was adopted by the Legislative Council a resolution requesting the Governor, at his earliest convenience, to furnish the Legislature a statement of all the fees and emoluments of the offices of Territorial Auditor and Treasurer for the years 1885 and 1886.

I have the honor to say in answer to that request that I have no means of knowing or of ascertaining the correct answer to be made to that question, except by reference to the statute laws of Montana, and by inquiry of those in charge of said offices. I have consulted these two sources of information, and herewith communicate to you the statements in writing from the Territorial Auditor and Treasurer, which I deem to be fully responsive to said resolution.

Respectfully,

P. H. Leslie
Governor

The accompanying communications from the Territorial Auditor and Treasurer were read and placed on file.

Marshall of the Committee of the Whole was granted time in which to report.

On motion of Alderson, House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-SEVENTH DAY

House of Representatives
February 15th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Toole and Brown were granted leaves of absence for the day. Prayer by the Chaplain. Journal of thirty-sixth day read and approved.

The following communication was received:

Territory of Montana
Governor's Office
Helena, Montana Territory
February 15, 1887

Gentlemen of the House of Representatives:

The Board of Stock Commissioners for the Territory of Montana has filed in this office its report exhibiting a full account of its service and the practical operation of the law of its creation for the years of 1885 and 1886, and I have the honor to transmit herewith the same to you.

Respectfully,

P. H. Leslie
Governor

The report accompanying the message was referred to the Committee on Grazing and Stock-growing.

The following reports were received:

Mr. Speaker: Your Committee on Federal Relations to whom was referred C. J. M. No. 3, have had the same under consideration and beg leave to report the same back to the house and recommend that it - do pass.

White,
Chairman

Mr. Speaker: Your Committee on Federal Relations to whom was referred C. J. M. No. 1, have had the same under consideration, and beg leave to report the same back to the House and recommend that it - do pass.

White,
Chairman

Mr. Speaker: Your Committee on Roads and Highways to whom was referred House Bill No. 16, beg leave to report the same back with recommendation that it - do not pass.

Gorham,
Chairman

Mr. Speaker: Your Committee on Roads and Highways to whom was referred House Bill No. 38 beg leave to report the same back with substitute and recommend that the substitute do pass.

Gorham,
Chairman

C. J. M. No. 3, C. J. M. No. 1, H. B. Nos. 16 and 38 were placed upon the general orders.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. J. R. No. 3 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: The Committee of the Whole have had under consideration: H. B. No. 24 and recommend that it be indefinitely postponed; Also, H. B. No. 45 and recommend that the same do pass, as amended; Also, H. B. No. 40 and recommend that the same be indefinitely postponed; Also, H. B. No. 43, which is reported back without recommendation; Also, H. B. No. 51, which is reported back with amendments and the recommendation that, as amended, it - do pass; Also, H. B. No. 23, which is reported back with amendments and the recommendation that, as amended, it - do pass.

Marshall,
Chairman

H. B. No. 24, on motion of Alderson, was laid on the table by the following vote:

Ayes: Alderson, Hanscomb, Hoffman, Kanouse, Marshall, Page, Spaulding, Thompson, Titman, White, Wilson, Mr. Speaker — 12.

Noes: Blake, Buskett, Gorham, Harwood, Johnson, Muth, Scobey, Taylor — 8.

Absent: Brown, Holt, Mantle, Toole — 4.

On motion of Blake the amendments to H. B. No. 45 were adopted, and the bill was ordered engrossed.

On motion of Blake H. B. No. 40 was indefinitely postponed.

The amendments reported to H. B. No. 43 were, on motion of Blake, adopted by the following vote:

Ayes: Blake, Gorham, Hanscomb, Harwood, Johnson, Kanouse, Muth, Scobey, Spaulding, Thompson, Wilson — 11.

Noes: Alderson, Buskett, Hoffman, Marshall, Page, Taylor, Titman, White, Mr. Speaker — 9.

Absent: Brown, Holt, Mantle, Toole — 4.

The bill was ordered engrossed.

On motion of Scobey the amendments to H. B. No. 51 were adopted and the bill was ordered engrossed.

On motion of Blake the amendments to H. B. No. 23, were adopted and the bill was ordered engrossed.

Notices of introduction of bills were given as follows:

By Blake: "A bill for an act to provide for the organization of railroad corporations and to regulate the operation thereof." Also, "An act authorizing the employment of stenographers by the district courts." Also, "An act to amend Section 161 of the Fourth Division of the Revised Statutes of Montana." Also, "An act concerning the education of deaf, mute, and

blind children." By Muth: "A bill for an act concerning the registration of voters in incorporated cities." By Thompson: "A bill to repeal Article 2 of the Fifth Division of the Revised Statutes of the Territory of Montana." By Marshall: "A bill concerning fences." Also, "A bill for an act concerning the alienation of mining property by corporations." Page introduced H. B. No. 65: "A bill for an act to provide for preventing the evils of intemperance by local option in any county in this territory, by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county, to provide penalties for its violation, and other purposes," which was read first and second times and ordered printed.

On motion of Blake the rules were suspended, C. B. No. 22, "A bill for an act to encourage tree planting and arboriculture in Montana," was read first and second times by title and referred to the Committee on Agriculture and Manufacture.

H. J. R. No. 3 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Johnson, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Wilson — 14.

Noes: Hanscomb, Marshall, Titman, White, Mr. Speaker — 5.

Absent: Brown, Holt, Kanouse, Mantle, Toole — 5.

Title agreed to.

The House resolved itself into a Committee of the Whole, Alderson in the Chair.

House resumed. Mr. Speaker in the Chair. Alderson of the Committee of the Whole was granted time to report.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 15, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The resolution, a copy of which is herewith transmitted, was offered by Collins and adopted by the Council.

Reuben L. Davis
Chief Clerk

The following is the resolution accompanying the foregoing communication:

"Resolved by the Council; the House concurring, that the Chairman of the Committee on Printing in the two Houses be, and they are hereby authorized and directed to contract with the Independent and Herald printing establishments at Helena, M. T., for the printing of the Revenue Bill, Road Bill, and other bills of a general nature for the use of the Legislative Assembly, and at the expense of the Territory."

Collins

On motion of Blake the consideration of the resolution was deferred until 2 p.m.

On motion of Alderson the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Holt, Toole.

On motion of Muth the House concurred in the Council resolution relative to the printing of bills.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Thompson in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 15, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Kennedy gave notice of introduction of "A bill for an act concerning marriages."

Collins introduced C. B. No. 37, "A bill for an act to prohibit the sale of intoxicating liquors outside the limits of any incorporated town or city, or any legally established townsite wherein is established a post office." Ordered printed.

C. B. No. 12, C. B. No. 21 and C. B. No. 27 have passed the Council and the same are herewith transmitted.

The Council acceded to request of House in relation to H. B. No. 5, and appointed Messrs. Collins, Rickards, and Thompson a Committee of Conference thereon on the part of the Council.

Reuben L. Davis
Chief Clerk

Blake moved to take a recess until 7:30 P.M. Motion lost.

On motion of Gorham the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-EIGHTH DAY

House of Representatives
February 16th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Brown and Holt were excused for the day. Prayer by the Chaplain. Journal of thirty-seventh day read and approved. Kanouse was called to the Chair by Mr. Speaker.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 23, H. B. No. 43 and H. B. No. 45, begs leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 60, 61, 58 and 62, the same having been correctly printed.

Mantle,
Chairman

The foregoing bills, reported as correctly printed, were referred as follows: H. B. No. 62 to the Committee on Towns and Counties. H.B. No. 60 to the Committee on Ways and Means. H.B. No. 58 to the Committee on Territorial Affairs.

On motion of Blake the rules were suspended and H. B. 61 was ordered engrossed.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration C. B. No. 23, and direct me to report the same back recommending that it - do not pass; Also C. J. M. No. 3, and recommend that the same do pass; Also C. J. R. No. 5, and recommend that the same - do not pass; Also, C. J. M. No. 1, and recommend that the same be referred to a Select Committee composed of two from the Council and three from the House.

Alderson,
Chairman

The recommendation of the Committee to refer C.J.M. No. 1 to a Joint Committee of the two Houses was adopted, and in conformity therewith the Chair appointed Messrs. Hoffman, Harwood and Alderson on the part of the House.

Notices of the introduction of bills were given as follows:

By Taylor: "A bill for an act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the Territory of Montana." By Page: "A bill for an act to amend Section 355, Chapter 3, First Division of the Revised Statutes of Montana." By Marshall: "A bill to repeal Sections 181, 182, 183, 184 and 185 of the Second Division of the Revised Statutes of Montana." By Scobey: "A bill to amend Section 106 of the Fifth Division of the Revised Statutes."

Marshall introduced the following resolution and moved its adoption.

"Resolved: by the House, the Council concurring that the Fifteenth Legislative Assembly do, adjourn sine die on the 28th day of February, 1887, and that no bill be introduced after the 21st day of February inst."

The motion to adopt was lost.

Marshall presented the following resolution which was adopted:

"Resolved: that on and after this day when a bill is referred to a standing committee the same must be reported back at least within two days."

Bills were introduced as follows:

By Taylor: H. B. No. 66, "An act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the Territory of Montana." By Marshall: H. B. No. 67, "An act in relation to the alienation of mining property by corporations." By Blake: H. B. No. 68, "An act to provide for the organization of railroad corporations, and to regulate the operation thereof." By Thompson: H. B. No. 69, "An act to repeal Article 2 of the Fifth Division of the Revised Statutes of the Territory of Montana." By Blake: H. B. No. 70, "A bill for an act to establish a board of education." Also: H.B. No. 71, "An act to amend Section 161 of the Fourth Division of the Revised Statutes of Montana."

Alderson introduced H. J. M. No. 8 "concerning the Fort Ellis Military Reservation."

On motion of Blake the vote by which the Council resolution relative to the printing of certain bills was adopted, was reconsidered.

On motion of Muth the resolution was referred to the Committee on Printing.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 14, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 13 as amended has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Blake the House concurred in Council amendments to H. B. No. 13, and the bill was ordered enrolled.

C. B. No. 12, "An act providing for the posting of estrays in the Territory," was read first and second times. Scobey moved to indefinitely postpone the bill. Motion lost. The bill was referred to the Committee on Grazing and Stock-growing.

On motion of Blake the rules were suspended and C. B. No. 21, "An act to provide for a Territorial Board of Arbitration for the settlement of differences between employers and employees," was read first and second times by title and referred to the Committee on Education and Labor.

C. B. No. 27, "A bill for an act to punish persons for making fraudulent pedigrees of live stock," was read first and second times and referred to the Committee on Grazing and Stock-growing.

House Bills 66, 67, 68, 69, 70 and 71 were read first and second times and ordered printed. H. J. M. No. 8 was read first and second times, and on motion of Marshall, the rules were suspended, the memorial was considered engrossed, and, placed on the calendar for a third reading.

H. B. No. 23, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Mr. Speaker — 21.

Noes: None.

Absent: Brown, Holt, Wilson — 3.

Title agreed to.

H. B. No. 43 was read a third time and passed by the following vote:

Ayes: Blake, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Thompson, Toole — 14.

Noes: Alderson, Buskett, Marshall, Taylor, Titman, White, Mr. Speaker — 7.

Absent: Brown, Holt, Wilson — 3.

Title agreed to.

H. B. No. 45 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Mr. Speaker — 21.

Noes: None.

Absent: Brown, Holt, Wilson — 3.

Title agreed to.

H. J. M. No. 8 was read a third time.

On motion of Scobey the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Holt. Wilson was excused for the day.

H. J. M. No. 8 passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Thompson, Titman, Toole, White, Mr. Speaker — 18.

Noes: None.

Absent: Brown, Harwood, Holt, Page, Taylor, Wilson — 6.

Title agreed to.

C. J. R. No. 5, was read a third time and lost by the following vote:

Ayes: Gorham, Mantle, Johnson, Scobey — 4.

Noes: Alderson, Blake, Buskett, Hanscomb, Marshall, Muth, Spaulding, Thompson, Titman, Toole, White, Mr. Speaker — 12.

Excused: Hoffman — 1.

Absent: Brown, Harwood, Holt, Kanouse, Page, Taylor, Wilson — 7.

C. B. No. 23 was read a third time and lost by the following vote:

Ayes: Mantle, Scobey, Thompson, Toole, White — 5.

Noes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Johnson, Kanouse, Marshall, Muth, Spaulding, Taylor, Titman, Mr. Speaker — 14.

Absent — Brown, Harwood, Holt, Page, Wilson — 5.

C. J. M. No. 3 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Johnson, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Mr. Speaker — 18.

Noes: Kanouse, Titman — 2.

Absent: Brown, Harwood, Holt, Wilson — 4.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills 20, 64, and 63 the same having been correctly printed.

Mantle,
Chairman

House Bills 63 and 64 were referred to the Committee on Judiciary. On motion of Mantle H. B. No. 20 was placed on the general orders. The House resolved itself into a Committee of the Whole for the consideration of general orders. Thompson in the Chair.

House resumed. Mr. Speaker in the Chair. Thompson of the Committee of the Whole was granted time in which to report.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 51, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 70, 71 and 69, the same having been correctly printed.

Mantle,
Chairman

House Bills 69 and 71 were referred to the Committee on the Judiciary. H. B. No. 70 was referred to the Committee on Education and Labor.

On motion of Taylor the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRTY-NINTH DAY

House of Representatives
February 17th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Spaulding was granted an indefinite leave of absence. The Chaplain was granted an indefinite leave of absence. Journal of thirty-eighth day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment report H. B. No. 61 correctly engrossed.

C. R. A. Scobey,
Chairman, pro tem

Scobey was called to the Chair by Mr. Speaker.

Mr. Speaker: The Committee on Towns and Counties to whom was referred H. B. No. 50, beg leave to report the same back without recommendation for the reason there are two questions to be determined by the bill, viz:

1st — Shall we repeal the salary law?

2nd — If we do, what are reasonable fees to be paid to the officers named in this bill?

These are matters to be determined by each member as it affects his county, and the matter can better be determined in the Committee of the Whole House.

Taylor,
Chairman

Mr. Speaker: The Committee on Towns and Counties having had under consideration House Bill No. 56, return the same with the recommendation that it do pass.

J. F. Taylor,
Chairman

House Bills Nos. 50 and 56 were placed upon the general orders.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having considered H. B. No. 10, with Council amendments, thereto having directed me to report recommending that 1st Council amendment to said bill be concurred in, and the 2nd Council amendment thereto be not concurred in.

Kanouse,
Chairman

On motion of Blake the report was adopted.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills No. 65 and 67 the same having been correctly printed.

Mantle,
Chairman

H. B. No. 65 was referred to the Committee on Education and Labor. H. B. No. 67 was referred to the Committee on Incorporation.

The following report was received:

Mr. Speaker: Your Committee of the Whole having had under consideration H. B. No. 1, direct me to report the same back with the recommendation that the House do not concur in the Council amendments; Also, C. B. No. 4, with the recommendation that the same be referred to the Committee on Judiciary; Also, H. B. No. 16 with the recommendation that it do not pass; Also, H. B. No. 47 without recommendation; Also, H. B. No. 46, recommending that, as amended, the same do pass; Also, H. B. No. 53, recommending that it do pass; Also, C. B. No. 14, and recommend that it do pass, as amended; Also, H. B. No. 29 and recommend that as amended the same do pass.

Thompson,
Chairman

On motion of Scobey the report of the Committee as to H. B. No. 1 was adopted.

On motion of Scobey C. B. No. 4 was placed on the calendar for third reading.

On motion of Blake H. B. No. 16 was laid on the table.

H. B. Nos. 47 and 53 were ordered engrossed.

The amendments reported to H. B. No. 46 were adopted and the bill was ordered engrossed.

The amendments reported to C. B. No. 14 were adopted and they were ordered engrossed.

All amendments with the exception of those offered to Section 5, of H. B. No. 29, were adopted, and those offered to Section 5 were rejected.

The following new section to the bill offered by Kanouse was adopted.

Section 6 - A judgment against any railway corporation for any injury to person or property, or for material furnished, or work and labor done upon any of the property of such corporation, shall be a lien within the county where recovered on the property of such corporation; and such lien shall be prior and superior to the lien of any mortgage or trust deed provided for in this act.

H. B. No. 29 was ordered engrossed.

Notices of the introduction of bills were given as follows:

By Scobey: "A bill for an act to provide for the disposition of trespassing swine." By Hoffman: "A bill to amend Section 2 and 5 of an act entitled an act to protect game, fur bearing animals and fish," approved March 8, 1883.

Bills were introduced as follows:

By Scobey: H. B. No. 72, "An act to amend Section 106 and 110 of the Fifth Division of the Revised Statutes of Montana Territory." By Blake: H. B. No. 73, "An act authorizing the appointment of stenographers by the district courts." By Armstrong: H. B. No. 74, "An act to encourage the construction of canals in the Territory of Montana." By Marshall: H. B. No. 75, "An act to create the office of Attorney General."

The following communication was received:

Council Chamber
Helena, Montana Territory
February 16, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Waters: "A bill entitled an act to provide for the levy and collection of taxes upon property of railroad companies in Montana Territory." By Rickards: "A bill for an act relating to solicitors."

Kennedy introduced C. B. No. 38, "A bill for an act concerning marriage." Ordered printed.

C. B. No. 18 has passed the Council and the same is herewith transmitted."

Reuben L. Davis
Chief Clerk

C. B. No. 18, "A bill for an act in relation to the fees of County Assessor" was read a first and second time and referred to the Committee on Ways and Means.

House Bills Nos. 72, 73, 74 and 75 were read first and second times and ordered printed.

C. J. R. No. 2 was read a third time. Alderson by unanimous consent, introduced the following amendment which was adopted.

"I move to amend by striking out the last clause of the resolution after the word _____. And inserting in lieu thereof the following: that in case of the death of the beneficiary before the expiration of the five years aforesaid, then the remainder of the twenty-five hundred dollars hereby appropriated shall be paid to the executor, administrator or assigns of the said John X. Beidler for the purpose of defraying all necessary funeral expenses and erecting a suitable monument over his grave."

H. J. R. No. 2 was recommitted to the Committee on Engrossment.

H. B. No. 51 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Kanouse, Mantle, Page, Scobey, Taylor, Toole, White, Mr. Speaker — 15.

Noes: Hanscomb, Johnson, Marshall, Muth, Thompson, Wilson — 6.

Absent: Brown, Spaulding, Titman — 3.

Title agreed to.

Mantle gave notice that on tomorrow he would move to reconsider the vote by which the bill passed.

H. B. No. 6 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Harwood, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 20.

Noes: None.

Absent: Brown, Holt, Spaulding, Titman — 4.

Title agreed to.

C. B. No. 4 was taken up for a third reading. Harwood moved to recommit to the Committee of the Whole. Marshall arose to a point of order, claiming that it required a suspension of the rules to recommit. The Chair decided the point not well taken. Marshall appealed from the decision of the Chair.

The question being put: "Shall the decision of the Chair be sustained?" The Chair was sustained by the following vote:

Ayes: Alderson, Blake, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Mantle, Page, Taylor, Thompson, Titman, Wilson — 13.

Noes: Buskett, Marshall, Muth, Toole, White, Mr. Speaker — 6.

Absent: Brown, Holt, Kanouse, Spaulding — 4.

In the Chair — Scobey.

On motion of Marshall the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Spaulding. Mantle offered an amendment to C. B. No. 4. Objected to by Marshall.

On motion of Alderson the further consideration of C. B. No. 4 was postponed until Monday, 21st inst.

The following report was received:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined H. B. No. 13, and find the same correctly enrolled and herewith present the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. No. 13.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 17, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Bills were introduced as follows:

By Rickards: C. B. No. 39, "A bill for an act to regulate soliciting by persons requiring the payment of money in advance, or the delivery to them of property at the time of taking an order." Ordered printed. By Waters: C. B. No. 40, "An act to provide for the levy and collection of taxes upon property of railroad companies in Montana Territory." Ordered printed. By Sutherland: C. B. No. 41, "A bill for an act to amend Section 968 of the Fifth Division of the Revised Statutes." By Collins: C. B. No. 42, "A bill for an act to create the office of Attorney General, to define his powers and duties, and for other purposes." Ordered printed.

The consideration of H. J. M. No. 8 was indefinitely postponed, and the same is herewith transmitted.

The request for joint committee on C. J. M. No. 1 was acceded to, and Messrs. Holliday and Waters were on part of Council appointed as such. H. B. No. 37, with title amended so as to read: "A bill for an act to provide for deputy county treasurers, and to fix their compensation;" and C. B. No. 6, have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Blake the House concurred in Council amendment to H. B. No. 37 and the bill was ordered enrolled.

The House resolved itself into a Committee of the Whole for the consideration of general orders. White in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 17, 1887

Mr. Speaker:

I am instructed by the Council to request that your honorable body return to the Council H. J. M. No. 8.

Reuben L. Davis
Chief Clerk

On motion of Toole H. B. No. 50 was taken from the general orders and made a special order for 2 p.m. tomorrow.

On motion of Toole the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FORTIETH DAY

House of Representatives
February 18th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Spaulding. Journal of thirty-ninth day read and approved.

A petition from citizens of Meagher County asking for the formation of a new county, and accompanied by a bill for an act to create Missouri County was received and referred to the Committee on Towns and Counties.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment report House Bills No. 46, 47, 53 and House amendments to C. B. No. 14 as correctly engrossed.

C. R. A. Scobey,
Chairman, pro tem

Mr. Speaker: Your Committee on Education and Labor have had under consideration H. B. No. 65 and C. B. No. 21 beg leave to report same back to the House and recommend that they do pass.

Hanscomb,
Chairman

Mr. Speaker: Your Committee on Education and Labor have had under consideration H. B. No. 70 and direct me to report same back to the House and recommend that it do not pass.

Hanscomb,
Chairman

Mr. Speaker: Your Committee on Agriculture and Manufacture to whom was referred C. B. 22, report said bill back with the recommendation that the same do pass.

Wilson,
Chairman

House Bills 65 and 70 and Council Bills 21 and 22 were placed on the general orders.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 20 and direct me to report the same back to the House with the accompanying amendments and recommend that, as amended, it do pass.

White,
Chairman

The amendments to H. B. No. 20 were adopted and the bill was ordered engrossed.

Scobey was called to the Chair by Mr. Speaker.

The following report was received:

Mr. Speaker: Your special Committee to whom was referred C. B. No.

11, "An act to create the County of Park," beg leave to report the same back with the accompanying substitute, and recommend the passage of the substitute.

W. W. Alderson
C. W. Hoffman
F. K. Armstrong

On motion of Blake the substitute offered to C. B. No. 11 was adopted.

On motion of Armstrong the rules were suspended, the substitute was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Scobey, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 18.

Noes: None.

Absent: Buskett, Brown, Muth, Page, Spaulding, Toole — 6.

Title agreed to.

The following report was received:

Mr. Speaker: Your Special Committee to whom was referred H.B. No. 35, have considered the same, and beg leave to report back the accompanying substitute and recommend that the substitute do pass.

H. N. Blake,
Thomas L. Gorham

Substitute for H. B. No. 35 was placed on the general orders.

Notices were given as follows:

By Marshall: "A bill for an act to amend an act entitled an act creating the office of County Attorney." By Johnson: "A bill to prevent the poisoning of dogs and other domestic animals, and defining punishment for the same."

Bills were introduced as follows:

By Hoffman: H. B. No. 76, "An act to amend Sections 2 and 5 of an act entitled an act to protect game, fur bearing animals and fish," approved March 8, 1883. By Thompson: H. B. No. 77, "A bill to prevent double taxation." On motion of Marshall H. B. No. 50 was made a special order for 2 p.m. on Wednesday next.

On motion of Alderson H. J. R. No. 2 was recalled from the Committee on Engrossment.

Alderson moved that amendment offered by him to the resolution on yesterday be stricken out.

Marshall raised the point of order that at this stage of the proceedings this could not be done except by unanimous consent. The Chair decided the point not well taken. Marshall appealed from the decision of the Chair.

The question being put: "Shall the decision of the Chair be sustained?" The Chair was sustained by the following vote:

Ayes: Alderson, Buskett, Blake, Gorham, Harwood, Hoffman, Holt, Mantle, Page, Thompson, Mr. Speaker — 11.

Noes: Hanscomb, Johnston, Kanouse, Marshall, Muth, Taylor, Titman, Toole, White, Wilson — 10.

Absent: Brown, Spaulding — 2.

Scobey in the Chair. Marshall moved to adjourn.

H. J. R. No. 2 was placed on calendar for a third reading.

C. B. No. 6, "A bill for an act to amend Article One of Chapter XV of the Fifth Division of the Revised Statutes of Montana, relating to corporations for industrial or productive purposes," was read first and second times and referred to the Committee on Incorporations.

House Bills Nos. 76 and 77 were read first and second times and ordered printed. H. J. R. No. 2 was read a third time and lost by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Mantle, Muth, Page — 10.

Noes: Hanscomb, Johnson, Kanouse, Marshall, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 12.

Absent: Brown, Spaulding — 2.

H. B. No. 46 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: None.

Absent: Alderson, Brown, Spaulding — 3.

Title amended to read: "An act to prevent rams and he-goats from running at large."

On motion of Buskett the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Spaulding. Holt presented the following resolution:

"Resolved, by the House, the Council concurring that the two Houses of this Legislative Assembly stand adjourned from 12 m. Saturday the 19th inst. until 10 a.m., Wednesday, the 23rd inst."

On motion of Buskett the resolution was laid on the table by the following vote:

Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Mantle, Muth, Scobey, Thompson, Toole, White, Wilson, Mr. Speaker — 13.

Noes: Holt, Johnson, Kanouse, Marshall, Titman — 5.

Absent: Alderson, Brown, Hanscomb, Page, Spaulding, Taylor — 6.

The Chair announced in accordance with the Joint Resolution providing for the appointment of a Joint Committee to visit the penitentiary and insane asylum the appointment of Messrs. Buskett, Scobey, Thompson, Hoffman and Page on the part of the House.

The Chair appointed on the part of the House on the Joint Commission to meet the Dakota Commission: Messrs. Johnson, Harwood and Titman.

Blake presented the following resolution, which on motion was adopted:

"Resolved: That the Governor be requested to inform the House whether any school text book commission has been appointed under the act entitled: "An act to create a school text book commission," approved March 12th, 1885, and whether any reports have been made by said commission, which are on file in the Executive office."

The following reports were received:

Mr. Speaker: The Conference Committee appointed by the Council and House to consider H. B. No. 3: "An act concerning the sale of intoxicating liquors to the indigent poor," and the amendment of the Council to said bill, inserting the word "knowingly" therein, have had the said bill and amendment under consideration, and have agreed to recommend that the bill be passed without the said amendment.

H. N. Blake
House Committee of Conference

Mr. Speaker: Your Committee on Territorial Affairs have had under consideration H. B. No. 58, and ask leave to report the same back with the recommendation that it - do not pass.

Toole,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs, to whom was referred H. B. No. 34, beg leave to report back the same with accompanying substitute and recommend that said substitute be adopted in its stead.

Toole,
Chairman

Mr. Speaker: Your Committee on Incorporations beg leave to return herewith H. B. No. 55, and H. B. No. 67 with the recommendation that they do pass.

Muth,
Chairman

House Bills 58, 55, and 67 were placed on the general orders.

Substitute for H. B. No. 34 was adopted, and on motion of Blake the rules were suspended and the same was ordered engrossed.

The following resolution presented by Kanouse was adopted:

"Be it resolved by the House, the Council concurring, that the two Houses stand adjourned from 12 o'clock m. tomorrow, until 2 p.m. Wednesday the 23rd instant."

The following report was received:

Mr. Speaker: Your Committee on Enrollment beg leave to report that they have examined H. B. No. 37 and find the same correctly enrolled and herewith present the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. No. 37.

The following communication was received:

Council Chamber
Helena, Montana Territory

February 18, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Bills were introduced as follows:

By Rickards: C. B. No. 43, "An act to amend an act entitled an act to organize and regulate the militia," approved March 10, 1885. Ordered printed. By Cardwell: "An act for the care and maintenance of orphan children."

The Council refused to recede from its amendments to H. B. No. 10, asks for a Committee of Conference and appointed as such committee on the part of the Council Messrs. Collins and Kennedy.

The Council refused to recede from its amendments to H. B. No. 1; asks for a Committee of Conference, and appointed as such committee on the part of the Council Messrs. Rickards and Waters.

The Council adopted House substitute for C. B. No. 11.

H. B. No. 31 and C. B. No. 24 have passed the Council and the same are herewith transmitted.

In conformity to C. J. R. No. 6, the Chair appointed Messrs. Thompson and Kennedy to act on the part of the Council as Joint Committee to confer with the authorities of Dakota Territory.

H. C. Resolution in reference to appointing a committee to visit the penitentiary and asylum for the insane was concurred in.

C. J. M. No. 1 was ordered returned to the House, and is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 31 was ordered enrolled.

The Chair appointed as Conference Committee on part of the House on H. B. No. 10, Messrs. Mantle and Thompson.

The Chair appointed as Conference Committee on the part of the House on H. B. No. 1, Messrs. Blake and Harwood.

H. B. No. 47 was read a third time and lost by the following vote:

Ayes: Harwood, Holt, Scobey, Taylor, Titman, Wilson — 6.

Noes: Blake, Buskett, Gorham, Hanscomb, Johnson, Kanouse, Mantle, Marshall, Muth, Thompson, Toole, White — 12.

Absent: Alderson, Brown, Hoffman, Page, Spaulding, Mr. Speaker — 6.

H. B. No. 53 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson — 18.

Noes: None.

Absent: Alderson, Brown, Hoffman, Page, Spaulding, Mr. Speaker — 6.

FORTY-FIRST DAY

House of Representatives
February 19th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Spaulding. Absent: Harwood, Kanouse, Marshall, Page. Journal of the fortieth day read and approved. Muth was called to the Chair by Mr. Speaker.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment beg leave to report substitute for H. B. No. 34 correctly engrossed.

C. R. A. Scobey,
Chairman, pro tem

Mr. Speaker: Your Committee on Mines and Minerals have had under consideration House Bill No. 59, entitled: "An act to amend an act concerning the representation of quartz lodes," and herewith report the same back to the House with the recommendation that it do pass.

J. W. Buskett,
Chairman

Mr. Speaker: Your Committee on Mines and Minerals have had under consideration House Bill No. 32, entitled, "An act to secure persons and animals from danger from mining and other excavations," and herewith report the same back to the House with the recommendation that it - do not pass.

J. W. Buskett,
Chairman

Mr. Speaker: Your Committee on Ways and Means have considered and herewith report bills as follows:

H. B. No. 33, which is reported back without recommendation, in as much as the opinion and recommendation of the committee upon the subject of liquor license will be embodied in their report upon H. B. No. 36; Also, H. B. No. 57 with amendment, and as amended recommend that it - do pass; Also substitute for H. B. No. 60, in the form of a joint resolution, and recommend that the substitute do pass.

Kanouse,
Chairman

Mr. Speaker: A majority of your Committee on Ways and Means have considered C. B. No. 18, and beg leave to report the same back with amendments, and the recommendation that as amended it - do pass.

Kanouse,
Chairman

House Bills 59, 32 and 33 were placed upon the general orders.

On motion of Holt the amendments offered to H. B. No. 57 were adopted, and the same was placed upon the general orders.

H. J. R. No. 4 was adopted as a substitute for H. B. No. 60, and the same placed upon the general orders.

On motion of Johnson the amendments offered to C.B. No. 18 were adopted and the same were placed upon the general orders.

The following communication was received:

Territory of Montana
Executive Department
Helena, February 19, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I did on the 18th day of February, 1887, approve and sign bill originating in your House No. 13, and entitled: "An act to prevent the sale of intoxicants in variety theaters." Also, a bill which originated in your body No. 37 and entitled, "An act to provide for deputy county treasurers, and to fix their compensation."

Respectfully,
P. H. Leslie

Notices of the introduction of bills were given as follows:

By Gorham: "A bill for an act to create the County of Cascade, to define its boundaries and to provide for its organization." By Taylor: "A bill to create the County of Teton and to elect officers therefor."

Scobey moved to reconsider the vote by which H. J. R. No. 2 was lost. On motion of Armstrong the further consideration of the motion was postponed until Thursday the 24th inst.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 18, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Rickards introduced C. B. No. 45, "A bill for an act relating to the formation of municipal corporations." Ordered printed.

Mr. President has signed House Bills Nos. 13 and 37.

The Council still refuses to recede from its amendment to H.B. No. 3, and the same is herewith transmitted.

H. C. Resolution to adjourn from Saturday, m., to Wednesday 2 p.m. was lost in the Council.

Respectfully,

Reuben L. Davis
Chief Clerk

Mr. Speaker announced the signing of C. B. No. 11 and C. J. M. No. 3.

C. B. No. 24, "A bill for an act relating to the protection, employment and adoption of children," was read first and second times and referred to the Committee on Education and Labor.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having had under consideration C. B. No. 22, recommend that the same do pass. Also H.B.

No. 55 and recommend that the same do pass. Also, House Bill No. 70, and report the same back without recommendation. Also; H. B. 67 and recommend that Section 5 be stricken out and that as amended it - do pass. Also H.B. No. 56 and recommend that it do pass. Also; H. B. No. 58 and recommend that Sections 4 and 10 be rejected, and that as amended it - do pass. Also; C. B. No. 21 and recommend that Section 8 be stricken out and that as otherwise amended it - do pass.

Mantle,
Chairman

House Bills Nos. 55, 70 and 56 were ordered engrossed.

The amendments offered to H. B. No. 67 were adopted and the bill was ordered engrossed.

On motion of Scobey the amendments offered to H. B. No. 58 were rejected and the bill was ordered engrossed.

The amendments offered to C. B. No. 21 were adopted and they were ordered engrossed.

H. B. No. 34 was read a third time and passed by the following vote:

Ayes: Blake, Gorham, Hanscomb, Hoffman, Holt, Johnson, Mantle, Muth, Scobey, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 15.

Noes: None.

Absent: Alderson, Brown, Buskett, Harwood, Kanouse, Marshall, Page, Spaulding, Toole — 9.

Title agreed to.

C. J. M. No. 1 was read a third time and passed by the following vote:

Ayes: Alderson, Gorham, Hanscomb, Hoffman, Holt, Johnson, Mantle, Muth, Scobey, Taylor, Thompson, White, Wilson, Mr. Speaker — 14.

Noes: Blake, Titman — 2.

Absent: Brown, Buskett, Harwood, Kanouse, Marshall, Page, Spaulding, Toole — 8.

Title agreed to.

C. B. No. 22 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Holt, Johnson, Mantle, Muth, Scobey, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 17.

Noes: None.

Absent: Brown, Harwood, Kanouse, Marshall, Page, Spaulding, Toole — 7.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 66 and 72 correctly printed.

Mantle,
Chairman

House Bills 72 and 66 were referred to the Committee on Judiciary.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Blake in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 19, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The President has appointed Messrs. Holliday, Cardwell and Waters as Council Committee to visit the insane asylum and penitentiary.

The concurrent resolution to adjourn until the 23rd inst., at 2 p.m., was reconsidered and the Council concurred therein.

Reuben L. Davis
Chief Clerk

On motion of Alderson, Buskett was excused from serving on the Joint Committee to visit the Territorial asylum and penitentiary, and Mr. Speaker appointed White in his stead.

Notices of the introduction of bills were given as follows:

By Holt: "An act to prevent diseased animals from running at large on the public range." By Taylor: "An act to amend an act entitled an act for the better protection of the live stock interests of the territory," approved March 12, 1885.

The following report was received:

Mr. Speaker: Your Committee on Engrossment report H. B. No. 29 correctly engrossed.

C. R. A. Scobey,
Chairman, pro tem

Mantle moved to suspend the rules, and that H. B. No. 29 be read a third time by title and be placed on its final passage.

Alderson moved to adjourn. Motion lost. The motion of Mantle prevailed. Thompson asked unanimous consent to amend H. B. No. 29. Mantle objected. Buskett moved the previous question.

The question being put, "Shall the previous question be now put?" The motion prevailed.

H. B. No. 29 was read a third time by title and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Hoffman, Holt, Johnson, Mantle, Muth, Scobey, Taylor, Toole — 11.

Noes: Alderson, Hanscomb, Thompson, Titman, Wilson, Mr. Speaker — 6.

Absent: Brown, Harwood, Kanouse, Marshall, Page, Spaulding, White — 7.

Title agreed to.

On motion of Scobey the House adjourned until 2 p.m. Wednesday, 23rd inst.

David Marks
Chief Clerk

FORTY-FIFTH DAY

House of Representatives
February 23rd, 1887

House met pursuant to adjournment at 2 o'clock p.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Spaulding. Prayer by the Chaplain. Journal of the forty-first day read and approved. Blake was called to the Chair by Mr. Speaker.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 75 and 78, the same having been correctly printed.

Mantle,
Chairman

The following communication was received:

Territory of Montana
Executive Department
Helena, February 21, 1887

Gentlemen of the House of Representatives:

In answer to the resolution adopted by your body; "That the Governor be requested to inform the House whether any school text book commission has been appointed under the 'Act to create a school text book commission,' approved March 12, 1885." "And whether any reports have been made by said commission, which are on file in the executive office?" I have the honor to say I have searched diligently the records and papers of this office, and can find no memorandum or other evidence that such commission has ever been appointed; and this answer covers each of the two questions contained in the said resolution.

Respectfully,
P. H. Leslie

The following reports were received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 69, and directed me to report the same and accompanying amendments back, and recommend that the bill as amended do not pass.

Blake,
Chairman

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 41 and directed me to report it back without recommendation.

Blake,
Chairman

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 67, and directed me to report the same back, and recommend that it - do pass.

Blake,
Chairman

Mr. Speaker: Your Committee of the Whole House have had under con-

sideration H. B. No. 71 and H. B. No. 52, and directed me to report the bills back and recommend that the same do pass.

Blake,
Chairman

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 49, and directed me to report the same back and recommend that it - do not pass.

Blake,
Chairman

House Bills 41, 63, 71, 52 and 49 were ordered engrossed. H. B. No. 75 was referred to the Committee on Judiciary. H. B. No. 38 with substitute was placed on the general orders.

The following reports were received:

Mr. Speaker: Your Committee on Grazing and Stock Growing to whom was referred C. B. No. 12, beg leave to report the same back and recommend that it - do not pass; And, also, C. B. No. 27 with amendments and recommend that as amended the same do pass.

Holt,
Chairman

Mr. Speaker: Your Committee on Engrossment have had under consideration House Bills Nos. 56, 58 and 70, and Council Bill No. 21, and ask leave to report the same back correctly engrossed.

Toole,
Chairman

Council Bills Nos. 12 and 27 were placed upon the general orders.

On motion of Marshall C. B. No. 4 was referred to a special committee consisting of Marshall, Mantle, and Holt.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 19, 1887

Mr. Speaker: I am instructed by the Council to inform your honorable body that: Bills were introduced as follows:

By Rickards, by consent: C. B. No. 46, "A bill for an act to provide for the establishment of graded school districts."

Ordered printed.

By Sutherlin: C. B. No. 47, "A bill for an act to suppress and prevent the dissemination of scab and contagious diseases among sheep." Order printed.

The Council concurred in House Amendments to C. B. No. 14. Mr. President has signed C. J. M. No. 3 and C. B. No. 11. House Bills Nos. 6 and 25, as amended, and Council Bills Nos. 34 and 25 have passed the Council and the same are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 6 was ordered enrolled.

On motion of Kanouse the House concurred in Council amendments to H. B. No. 25, and the bill was ordered enrolled.

Hoffman gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow or on some subsequent day introduce a bill regarding the sale of poisonous drugs. Bills were introduced as follows:

By Marshall: H. B. No. 78, "A bill for an act to amend an act creating the office of County Attorney."

By Taylor: H. B. No. 79, "An act to create the County of Teton and for the election of officers thereof."

On motion of Armstrong the rules were suspended and C. B. No. 25, "An Act to provide for the erection of a Territorial prison and the custody and labor of Territorial prisoners," was read first and second times by title and referred to the Committee on Internal Improvements.

Armstrong moved that inasmuch as visitors of the Dakota Legislature were upon the floor of the House, that members may consult with them, the House do now adjourn.

Mantle moved to amend by taking a recess of fifteen minutes. The amendment was adopted and the House took a recess for 15 minutes.

House resumed. Blake in the Chair.

C. B. No. 34, "An act to amend Section 504 of the Fifth Division of the Revised Statutes of Montana Territory," was read first and second times and referred to the Committee on Education and Labor.

H. B. No. 78 was read first and second times and ordered printed.

On motion of Scobey the rules were suspended. H. B. No. 79 was read first and second times by title and referred to the Committee on Towns and Counties.

H. B. No. 56 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Gorham, Hanscomb, Harwood, Hoffman, Holt, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker—19.

Noes: None.

Absent: Brown, Buskett, Johnson, Spaulding, Titman — 5.

Title agreed to.

H. B. No. 58 was read a third time, and, by unanimous consent, Marshall amended as follows:

Amend Section 9 so as to read, "the 1st day of the week as used in this act is hereby declared to extend from 6 o'clock a. m., Sunday noon."

The amendment was adopted and the bill was recommitted to the Committee on Engrossment.

On motion of Marshall H. B. No. 70 was laid on the table.

Holt moved to indefinitely postpone C. B. No. 21.

On motion of Marshall the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FORTY-SIXTH DAY

House of Representatives
February 24th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Prayer by the Chaplain. Journal of forty-fifth day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment beg leave to report that House Bills Nos. 71, 69, 49, 63 and 41 have been correctly engrossed.

C. R. A. Scobey,
Chairman, pro tem

Mr. Speaker: Your Committee on Incorporations to whom was referred C. B. No. 16, beg leave to report the same back with the accompanying amendments.

Muth,
Chairman

C. B. No. 16 and amendments thereto were placed on the general orders. Marshall gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow introduce a bill fixing the compensation of sheriffs for dieting prisoners.

Bills were introduced as follows:

By Hoffman: H. B. No. 80, "An act regarding the sale of poisonous drugs." By Holt: H. B. No. 81, "An act to prevent diseased animals running at large on the public range." By Johnson: H. B. No. 82, "A bill to prevent the poisoning of dogs and other domestic animals and to define the punishment for the same."

By the Committee on Incorporations: H. B. No. 83, "A bill for an act concerning savings banks and trust deposit and security associations."

House Bills Nos. 80, 81, 82 and 83 were read first and second times and ordered printed.

Mr. Speaker announced the signing of C. B. No. 14. H. B. No. 41 was read a third time and passed by the following vote:

Ayes: Alderson, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Muth, Page, Scobey, Taylor, White — 12.

Noes: Blake, Buskett, Hanscomb, Mantle, Marshall, Spaulding, Thompson, Titman, Toole, Wilson, Mr. Speaker — 11.

Absent: Brown.

Title agreed to.

H. B. No. 49 was read a third time and lost by the following vote:

Ayes: Harwood, Johnson, Scobey, White, Mr. Speaker — 5.

Noes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Holt, Kanouse, Mantle, Marshall, Muth, Page, Spaulding, Taylor, Thompson, Titman, Toole, Wilson — 18.

Absent: Brown — 1.

H. B. No. 63 was read a third time. White by unanimous consent amended the bill by inserting after the word "seine" the words: "of two nich meshes."

On motion of Marshall the bill was referred to the Committee on Territorial Affairs.

H. B. No. 69 was read a third time and lost by the following vote:

Ayes: Hanscomb, Holt, Johnson, Mantle, Marshall, Scobey, Spaulding, Taylor, Titman, Toole — 10.

Noes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Kanouse, Muth, Page, Thompson, White, Wilson, Mr. Speaker — 13.

Absent: Brown — 1.

H. B. No. 71 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 19.

Noes: Alderson, Hanscomb, Toole — 3.

Absent: Brown — 1.

Title agreed to.

On motion of Marshall the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 68, 73, 76, 74 and 77, the same having been correctly printed.

Mantle,
Chairman

Bills were referred as follows:

H. B. No. 76 to the Committee on Territorial Affairs. H. B. No. 74 to the Committee on Agriculture and Manufacture; H. B. No. 68 to the Committee on Incorporations; H.B. No. 73 to the Committee on the Judiciary; H. B. No. 77 to the Committee on Ways and Means.

The motion of Holt, made on yesterday, to indefinitely postpone C.B. No. 21 was lost by the following vote:

Ayes: Holt, Kanouse, Taylor, Wilson — 4.

Noes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Johnson, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Thompson, Toole, White, Mr. Speaker — 17.

Absent: Brown, Hoffman, Titman — 3.

C.B. No. 21 passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Johnson,

Mantle, Marshall, Muth, Page, Scobey, Spaulding, Thompson, Titman, Toole, White — 17.

Noes: Hoffman, Holt, Kanouse, Taylor, Wilson, Mr. Speaker — 6.

Absent: Brown — 1.

Title agreed to.

On motion of Spaulding the following resolution was adopted:

"Resolved: That the Governor is hereby requested to transmit to the House of Representatives all reports made by the Keeper of the Arsenal, military stores, etc., since January 1st, 1880."

The hour having arrived for which H. B. No. 50 was made a special order, the House resolved itself into a Committee of the Whole for its consideration, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Toole the House took a recess until 7 p.m.

7 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The House went into Committee of the Whole for the further consideration of H. B. No. 50. Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair. Marshall moved a call of the House. A call was had. Absent: Blake, Hoffman, Muth, Page, Thompson, Titman, Wilson. The Sergeant-at-arms was instructed to bring in the absentees, and the members present were ordered not to go without the bar of the House.

During the call, Muth, Page and Thompson appeared and answered to the call of their names.

On motion of Kanouse further proceedings under the call were dispensed with.

The House again resolved itself into a Committee of the Whole for the further consideration of general orders. Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B. No. 31, have examined the same and find it correctly enrolled, and herewith present the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. No. 31. Thompson gave notice that he would on tomorrow move a reconsideration of the vote by which H. B. No. 69 was lost.

On motion of Muth the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FORTY-SEVENTH DAY

House of Representatives
February 25th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Prayer by the Chaplain. Journal of forty-sixth day read and approved.

The following report was received:

Mr. Speaker: Your Committee to whom was referred House Bills No. 6 and 25, beg leave to report that they have examined same and find them correctly enrolled, and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. No. 25.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 52 and H. B. No. 67, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Towns and Counties having under consideration House Bill No. 62, return the same to the House with the recommendation that it - do pass.

J. F. Taylor,
Chairman

Mr. Speaker: We your Committee on Incorporation have had under consideration C. B. No. 6, and beg leave to report the same back with the recommendation that it - do pass.

Muth,
Chairman

H. B. No. 62 and C. B. No. 6 were placed on the general orders. Notices were given as follows:

By Holt: "A bill to prevent the killing of beaver on the public ranges."
By Johnson: "A bill to regulate the shipment of hides."

Bills were introduced as follows:

By Marshall: H. B. No. 84: "A bill for an act fixing the compensation of sheriffs for the Board of Prisoners."

By Taylor: H. B. No. 85: An act to amend an act entitled "An act for the better protection of livestock."

By Muth: H. B. No. 86: "An act to amend Section 292 of the Fifth Division of the Revised Statutes of Montana."

Page introduced H. J. M. No. 5, relating to the official map of Montana.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 24, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows:

By Rickards: "A bill for an act to declare and protect the legal and personal identity of married women;" Also; "A bill for an act to place inmates of insane asylums under the protection of the laws by securing to them their postal rights;" Also; "A bill for an act creating a Territorial Board of Health." By Hundley: "A bill concerning fees of expert witnesses and jurors." Hundley introduced C. J. R. No. 8: "To compensate D. H. Weston for services rendered the territory."

The Governor has approved C. B. No. 11.

Mr. President has signed C. B. No. 14.

H. J. M. No. 7, Council Bills Nos. 1, 31, and 32 have passed the Council and the same are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. J. M. No. 7 was ordered enrolled. C. B. No. 1, "A bill for an act amending Section 529 of the Fifth Division of the Revised Statutes of Montana," was read first and second times and referred to the Committee on Elections.

C. B. No. 31, "A bill for an act to authorize changing the names of persons and places," was read first and second times and referred to Committee on Judiciary.

C. B. No. 32, "A bill for an act providing for the adoption of children," was read first and second times and referred to the Committee on Judiciary.

House Bills Nos. 84, 85 and 86, and H. J. R. No. 5 were read first and second times and ordered printed.

H. B. No. 52 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: Hanscomb — 1.

Absent: Brown — 1.

Title agreed to.

H. B. No. 67 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: None.

Absent: Brown — 1.

Title agreed to.

The House resolved itself into a Committee of the Whole for the further consideration of H. B. No. 50, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
February

Mr. Speaker:

I am instructed by the Council to return C. B. 21 with House amendments for correction. The first amendment seems to refer to line of printed bill instead of written bill.

Reuben L. Davis
Chief Clerk

C. B. No. 21 was recommitted to the Committee on Engrossment.

On motion of Thompson the vote by which H. B. 69 was lost was reconsidered by the following vote:

Ayes: Alderson, Hanscomb, Harwood, Johnson, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, Wilson — 14.

Noes: Blake, Buskett, Gorham, Hoffman, Holt, Kanouse, Muth, White, Mr. Speaker — 9.

Absent: Brown — 1.

Harwood moved to adjourn. Motion lost.

H. B. No. 69 passed by the following vote:

Ayes: Alderson, Hanscomb, Holt, Johnson, Mantle, Marshall, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, Wilson — 13.

Noes: Blake, Buskett, Gorham, Harwood, Hoffman, Kanouse, Muth, Page, White, Mr. Speaker — 10.

Absent: Brown — 1.

Title agreed to.

On motion of Toole the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Buskett was excused for the day. On motion of Page H. J. R. No. 5 was recalled from the Committee on Printing, the rules were suspended, the resolution was considered engrossed and placed on the calendar for a third reading.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 25, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Cardwell gave notice of introduction of "A bill to permanently fix and determine the boundary lines of Jefferson County, and to provide for the appointment of commissioners thereof."

Bills were introduced as follows:

By Sutherland: C. B. No. 48, "A bill for an act to restrict the duties of county clerks, probate judges and justices of the peace." Ordered printed. By Rickards: C. B. No. 49, "A bill for an act to declare and protect the legal and personal identity of married women." Also; C. B. No. 50, "A bill for an act to place the inmates of insane asylums under the protection of the laws by securing to them postal rights." By Hundley: C. B. No. 51, "A bill for an act concerning expert witnesses and jurors."

The Governor has approved C. B. No. 14.

Council Bills Nos. 49 and 50 were read first and second times and under suspension of the rules, were read third time and passed, and the same are herewith transmitted.

H. J. M. No. 8, House Bills Nos. 61, 45, 54, 46 and 53, have passed the Council and the same are herewith transmitted.

Mr. President has signed House Bills Nos. 6, 25 and 31.

H. B. No. 51 was lost in the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

House Bills Nos. 61, 45, 46, 53 and H. J. M. No. 8 were ordered enrolled.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was recommended C. B. No. 21 report the same correctly engrossed.

C. R. A. Scobey,
Chairman, pro tem

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 20 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

On motion of Marshall the rules were suspended, H. B. No. 20 was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 21.

Noes: None.

Absent: Brown, Buskett, Titman — 3.

Title agreed to.

The House resolved itself into a Committee of the Whole for the further consideration of H. B. No. 50, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Taylor the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FORTY-EIGHTH DAY

House of Representatives
February 26th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Hoffman was excused for the day. Prayer by the Chaplain. Journal of forty-seventh day was read and approved.

Mr. Speaker announced the signing of C. B. No. 22 and C. J. M. No. 1.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills 82, 81, 78 and 80 the same having been correctly printed.

Mantle,
Chairman

Bills were referred as follows:

H. B. No. 82 to the Committee on Indian Affairs. H. B. No. 81 to the Committee on Grazing and Stock Growing. H. B. No. 78 to the Committee on Judiciary. H. B. No. 80 to the Committee on Indian Affairs.

The following reports were received:

Mr. Speaker: The majority of your Committee on Internal Improvements to whom was referred C. B. No. 25 beg to report the same back without recommendation.

C. R. A. Scobey,
Page, Toole, Wilson

Mr. Speaker: A minority of your Committee to whom was referred C. B. No. 25 beg leave to report the same back to the House and recommend that it do not pass.

White

Mr. Speaker: Your Committee on Elections to whom was referred C. B. No. 1 beg leave to return the same herewith and recommend that it do pass.

Muth,
Chairman, pro tem

Mr. Speaker: Your Committee on Incorporation to whom was referred H. B. No. 68 beg leave to return same herewith and to recommend that it do pass.

Muth,
Chairman

Mr. Speaker: Your Committee on Education and Labor to whom was referred Council Bills No. 24 and No. 34, have had the same under consideration and beg leave to report the same back to the House and recommend that they do pass.

C. W. Hanscomb,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred H.

B. No. 72, beg leave to report the same back and recommend that it do pass; Also, H. B. No. 66, with amendment, and recommend that it do pass as amended; Also, C. B. 32 and recommend that it do pass; Also, C. B. 31, and recommend that the same do pass.

Marshall,
Chairman

Council Bills Nos. 25, 24, 34, 32, and 31, and House Bills 68 and 72 were placed on the general orders.

Marshall moved that the rules be suspended and C. B. No. 1 be placed on the calendar for a third reading. The suspension requiring a two-third vote, the motion was lost by the following vote:

Ayes: Buskett, Gorham, Holt, Johnson, Kanouse, Marshall, Muth, Taylor, Titman, Toole, White, Mr. Speaker — 12.

Noes: Blake, Hanscomb, Harwood, Mantle, Page, Scobey, Spaulding, Thompson, Wilson — 9.

Absent: Alderson, Brown, Hoffman — 3.

Council Bill No. 1 was placed on the general orders.

The amendment offered to H. B. No. 66 by the Judiciary Committee was adopted and the bill was placed on the general orders.

Scobey introduced H. B. No. 87: "A bill for an act to provide for the seizure and sale of trespassing swine."

On motion of Harwood, H. B. No. 62 was taken from the general orders, the rules were suspended the bill was considered engrossed and placed on the calendar for a third reading.

On motion of Blake the rules were suspended and H. B. No. 54 was considered enrolled.

C. B. No. 49, "A bill for an act to declare and protect the legal and personal identity of married women," was read first and second times and referred to the Committee on Judiciary.

C. B. No. 50, "A bill for an act to place the inmates of insane asylums under protection of the laws by securing to them their postal rights," was read first and second times and referred to the Committee on Judiciary.

Scobey moved that the rules be suspended and that H. B. No. 87 be read first and second times by title.

Marshall moved to amend by indefinitely postponing the bill. The amendment and motion were lost, the bill was read first and second times and ordered printed.

H. J. R. No. 5 was read a third time and on motion of Alderson the resolution was laid on the table until Thursday March 3rd.

H. B. No. 62 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Brown, Hoffman — 2.

Title agreed to.

The House resolved itself into a Committee of the Whole for the further consideration of H. B. No. 50, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

Kanouse of the Committee of the Whole reported progress and the committee was granted leave to sit again.

Marshall moved a recess until 2 p.m. Buskett amended by moving to adjourn. The amendment was lost, the motion prevailed and the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Hoffman.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Territory of Montana
Governor's Office
Helena, February 25, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you by way of answer to the resolution adopted by your body: "That the Governor be requested to transmit to the House of Representatives all reports made by the Keeper of the Arsenal, military stores, etc., since January 1, 1880;" that upon careful search through this office I am unable to find any such report or anything referred to that subject.

Respectfully,
P. H. Leslie

Buskett moved that the House do now adjourn — motion lost.

Marshall moved that C. B. No. 1 be taken from the general orders, and be made a special order for 4:20 this p.m. The motion was lost by the following vote:

Ayes: Buskett, Gorham, Holt, Johnson, Kanouse, Marshall, Muth, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 13.

Noes: Blake, Hanscomb, Harwood, Mantle, Page, Scobey, Spaulding, Thompson — 8.

Absent: Alderson, Brown, Hoffman — 3.

Marshall appealed from the decision of the Chair on the point that it takes two-thirds votes to take a bill from the general orders.

The question being put: "Shall the decision of the Chair be sustained?" the chair was sustained by the following vote:

Ayes: Blake, Buskett, Gorham, Hanscomb, Harwood, Mantle, Page, Scobey, Spaulding, Thompson, Titman — 11.

Noes: Holt, Johnson, Kanouse, Marshall, Muth, Taylor, Toole, White, Wilson — 9.

Absent: Alderson, Brown, Hoffman — 3.

Mr. Speaker in the Chair.

On motion of Buskett the House adjourned until 10 a.m., Monday.

David Marks
Chief Clerk

FIFTIETH DAY

House of Representatives
February 28th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Prayer by the Chaplain. Journal of forty-eighth day read and approved.

Muth was called to the Chair by Mr. Speaker.

The following reports were received:

Mr. Speaker: Your Committee on Grazing and Stock Growing have had H. B. No. 81 under consideration and report the same back with the recommendation that it do pass.

Holt,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom were referred H. B. No. 55 and H. B. No. 58 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred H. B. No. 73 would report that they have had the same under consideration and report the same back with amendment, and recommend that, as amended, it do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Ways and Means have considered H. B. No. 77, and recommend that amendments accompanying be adopted and that as so amended it do pass.

Kanouse,
Chairman

Mr. Speaker: Your Committee on Towns and Counties to whom was referred H. B. No. 79 beg leave to report the same back with accompanying amendments, and recommend that the same do pass as amended.

J. F. Taylor,
Chairman

Mr. Speaker: Your Committee on Ways and Means, having considered H. B. No. 36, have directed me to report the substitute herewith, which they recommend be adopted and that it do pass.

Kanouse,
Chairman

House Bills 81 and 36 with the substitute reported thereto, were placed on the general orders.

The amendments reported to House Bills 73 and 77 were adopted, and they were placed on the general orders.

Taylor moved that the rules be suspended and that H. B. No. 79 be ordered engrossed. Motion lost. The bill was placed on the general orders.

The following report was received:

Mr. Speaker: The Conference Committee to which was referred H. B. No. 10: "An act to protect the wages of wage-workers," have considered the same and respectfully recommends that Section Five of the bill be not stricken out, and that the bill do pass as otherwise amended.

Lee Mantle,
Wm. Thompson,
Committee on behalf
of the House

On motion of Toole the report was adopted.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H. B. No. 50, and have directed me to report the same back with accompanying amendments, which they recommend be adopted, and that as so amended the bill do pass.

Kanouse,
Chairman

On motion of Armstrong H. B. No. 50 was referred to a special committee consisting of Marshall, Harwood, Scobey, Buskett and Page.

The following report was received:

Mr. Speaker: Your Select Committee to whom was referred Council Bill four would respectfully report that they have had same under consideration and report it back with accompanying amendments and recommend that as amended it do pass.

Marshall,
Chairman

On motion of Toole the amendments to C. B. No. 4 were adopted, and they were ordered engrossed.

The following communication was received:

Territory of Montana
Governor's Office
Helena, February 25, 1887

Gentlemen of the House of Representatives:

I have the honor to advise you that I have on this day approved and signed the bill which originated in your body No. 6 and entitled: "An act to repeal Section 201 and 202 and to amend Sections 198, 199, and 200 of the Fourth Division of the Revised Statutes of Montana." Also bill No. 25, and entitled "An act defining the compensation for county and other officers." And also bill No. 31, and entitled "An act concerning the trustees of religious corporations."

Respectfully,
P. H. Leslie

Bills were introduced as follows:

By Armstrong: H. B. No. 88, "An act to amend Section 585 and 594 of Chapter 22 of the Fifth Division of the Revised Statutes;" Also, H.B. No. 89, "An act to amend Section 319 of Chapter One of the First Division of the Revised Statutes."

Mantle moved that the motion to reconsider H. J. R. No. 2 be taken up. Marshall raised the point of order that as the time for which this motion was made a special order had passed the motion was out of order. Mr. Speaker pro tem declared the point not well taken. The motion prevailed.

The vote by which H. J. R. No. 2 was lost was reconsidered by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Mantle, Muth, Page, Scobey, Thompson, Titman — 13.

Noes: Hanscomb, Johnson, Kanouse, Marshall, Spaulding, Taylor, Toole, White, Wilson — 9.

Absent: Brown — 1.

Mr. Speaker was excused from voting having paired with Mr. Brown.

Mr. Speaker announced the signing of C. B. No. 21.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 26, 1887

Mr. Speaker:

I am directed to inform your honorable body that: Rickards gave notice of introduction of a bill relating to better protection of game and fish; Also; that he would again introduce C. B. No. 23, "relating to seduction."

Rickards introduced C. B. No. 53: "A bill for an act creating a Territorial Board of Medical Examiners and defining their duties." C. B. No. 29, H. B. No. 56, and C. B. No. 15, have passed the Council and are herewith transmitted.

The Council concurred in House amendment to C. B. No. 21.

Reuben L. Davis
Chief Clerk

H. B. No. 56 was ordered enrolled.

C. B. No. 15, "An act in relation to fencing railroads, and erection of cattle guards," was read first and second times and referred to the Committee on Grazing and Stock Growing.

Substitute for C. B. No. 29: "An act concerning records of mining locations," was read first and second times and referred to Committee on Mines and Minerals.

House Bill No. 89 was read first and second times and ordered printed.

On motion of Armstrong the rules were suspended and H. B. No. 88 was ordered engrossed.

H. J. R. No. 2 passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Mantle, Muth, Page, Scobey, Titman — 12.

Noes: Hanscomb, Johnson, Kanouse, Marshall, Spaulding, Taylor, Thompson, Toole, White, Wilson — 10.

Absent: Brown — 1.

Excused: Mr. Speaker — 1.

Title agreed to.

H. B. No. 58 was read a third time and passed by the following vote:

Ayes: Blake, Gorham, Harwood, Kanouse, Mantle, Marshall, Page, Scobey, Thompson, Titman, Toole, White, Wilson — 13.

Noes: Alderson, Buskett, Hanscomb, Hoffman, Holt, Johnson, Muth, Spaulding, Taylor, Mr. Speaker — 10.

Absent: Brown — 1.

Title agreed to.

On motion of Scobey the rules were suspended, H. B. No. 55 was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 20.

Noes: Mantle, Titman — 2.

Absent: Brown, Muth — 2.

Title agreed to.

On motion of Holt the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown.

White gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow ask leave to introduce a bill to amend Chapter LV of the Fifth Division of the Revised Statutes of the School Law of Montana.

White

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred House Bills Nos. 46, 61, 54, 45, 53, and H. J. M.'s Nos. 7 and 8, have examined the same and find them correctly enrolled and herewith present them for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. J. Memorials Nos. 7 and 8 and H. B. Nos. 53, 45, 61, 46 and 54.

The following communication was received:

Council Chamber
Helena, Montana Territory
February 28, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council receded from its second amendment to H. B. No. 10 and the same is herewith transmitted.

Bills were introduced as follows:

By Rickards: C. B. No. 54, "A bill for an act providing for the better protection of game and fish, and for the creation of office of game and fish detective." Ordered printed. By Collins: C. B. No. 55, "A bill for an act to amend Section 391 of the Fifth Division of the Revised Statutes of Montana, in relation to duties of county recorders." By Cardwell: C. B. No. 56, "A bill for an act to permanently fix and determine the boundary line of Jefferson County."

C. B. No. 45 has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 10 was ordered enrolled.

Mantle introduced H. J. No. 6, "Authorizing the purchase of office furniture, fixtures and supplies for the office of the Governor and Secretary of Montana." On motion of Blake the rules were suspended, the resolution was considered engrossed and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: None.

Absent: Brown, Hanscomb, Taylor — 3.

Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Blake the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-FIRST DAY

House of Representatives
March 1st, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown. Alderson was excused for the day. Prayer by the Chaplain. Journal of fiftieth day read and approved.

A petition was received from butchers of Helena protesting against high license and requesting that it be reduced. Read and referred to Ways and Means Committee.

The following reports were received:

Mr. Speaker: Your Committee of the Whole have considered H.B. 36 and recommend that substitute for said bill introduced by the Committee on Ways and Means be adopted for said bill, and that substitute do pass with the accompanying amendments.

Scobey,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 88 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

On motion of Scobey Section 26 of H. B. No. 36 was stricken out.

The following amendments to substitute for H. B. No. 36 were offered by Thompson.

"I move to strike out in Section 4, line 2: 'wines and liquors.' Also in line 4 the word '50' and insert '30'; Also in line 6 the word '30' and insert '20'; Also, in line 8 the word '20' and insert '15'; Also in line 10 the word '15' and insert '10'; Also in line 13 the word '5' and insert '3'."

The first amendment was, on motion of Blake adopted, and the remainder rejected. Blake then moved that substitute for H. B. 36, as amended and reported by Committee of the Whole and as further amended by the House be adopted. Carried and the bill was ordered engrossed.

On motion of Blake the rules were suspended and H. B. No. 88 was read a third time by title and passed by the following vote:

Ayes: Blake, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: None.

Absent: Alderson, Brown, Buskett, Hanscomb, Mantle — 5.

Title agreed to.

On motion of Blake H. B. No. 33 was taken from general orders and laid on the table.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B. No. 56, beg leave to report that they have examined the same, and found it correctly enrolled, and present the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. No. 56.

The following reports were received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 84, the same having been correctly printed.

Mantle,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred House amendments to Council Bill No. 4, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs, who have had under consideration H. B. No. 76 ask leave to report the same back with amendments, and, as thus amended, recommend that it do pass.

Toole,
Chairman

Mr. Speaker: Your Committee on Indian Affairs to whom was referred H. B. 82, beg leave to report the following amendments, and as amended, recommend that the same do pass.

Harwood,
Chairman

H. B. No. 84 was referred to Committee on Towns and Counties.

C. B. No. 4, with House amendments, was placed on file for 3rd reading.

The amendments to H. B. No. 76 were, on motion, rejected and the bill was placed on the general orders.

The amendments to H. B. 82 were adopted, and bill and amendments placed on the general orders.

Notices of introduction of bills were given as follows:

By Johnson: "A bill for an act to amend an act entitled, an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle." By Taylor: "A bill for an act to repeal Section 806 of the Fifth Division of the Revised Statutes."

Bills were introduced as follows:

By Blake: H. B. No. 90, "An act to provide for the keeping of the military stores." By Muth: H. B. No. 91, "An act concerning prisoners in city jails." Also, H. B. No. 92, "A bill for an act concerning the registration of voters in incorporated cities." By White: H. B. No. 93, "An act to amend Chapter 55 of the Fifth Division of the Revised Statutes of the School Law of Montana." By Blake: H. J. R. No. 7, "To compensate Charles H. Snell for compiling and arranging the general and permanent laws of Montana Territory."

On motion of Blake the rules were suspended, and C. B. No. 45 was read first and second times and referred to Committee on Incorporation.

On motion of Blake the rules were suspended and H. B. Nos. 90 and 91 were read first and second times, considered engrossed, and placed on calendar for third reading.

H. J. R. No. 7 was read first and second times and referred to Committee on Ways and Means.

House Bills Nos. 92 and 93 were read first and second times and ordered printed.

House Bill No. 90 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Alderson, Brown — 2.

Title agreed to.

H. B. No. 91 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Taylor, Thompson, Titman, Toole, Wilson — 18.

Noes: Scobey, Spaulding, White, Mr. Speaker — 4.

Absent: Brown, Alderson — 2.

Title agreed to.

C. B. No. 4 was read a third time by title under a suspension of the rules, and passed by the following vote:

Ayes: Blake, Buskett, Hanscomb, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Titman, Toole, White, Wilson, Mr. Speaker — 18.

Noes: Gorham, Harwood, Taylor, Thompson — 4.

Absent: Alderson, Brown — 2.

Title agreed to.

Marshall moved to take a recess until 1:00 p.m. Motion lost.

On motion of Thompson the House took a recess until 1:30 p.m.

1:30 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Alderson, Brown.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Muth in the Chair.

House resumed. Mr. Speaker in the Chair.

Muth of the Committee of the Whole reported progress, and the Committee was granted leave to sit again.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 1, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 50 was laid on the table.

Collins introduced C. J. R. No. 9, "Authorizing Charles H. Snell to compile, arrange, print and publish the general and permanent laws of Montana Territory in force at the expiration of the Fifteenth Regular Session of the Legislative Assembly."

H. J. R. No. 6, H. B. No. 43, C. J. R. No. 8 and C. B. No. 47, have passed the Council and the same are herewith transmitted.

H. B. No. 42 was lost and the same is herewith transmitted.

Mr. President has signed H. J. M.'s Nos. 7 and 8, and House Bills, Nos. 53, 61, 45, 46 and 54.

Reuben L. Davis
Chief Clerk

An error appearing in the above communication relative to H.B. 50, the clerk was instructed to inform the Council of the fact, and ask that the proper correction be made.

H. J. R. No. 6 and H. B. No. 43 were ordered enrolled.

On motion of Blake the rules were suspended and C. B. No. 47, "A bill for an act to suppress and prevent the dissemination of scab and contagious diseases among sheep," was read first and second times by title and referred to the Committee on Grazing and Stock Growing.

C. J. R. No. 8, "To compensate D. H. Weston for services rendered the territory," was read first and second times and referred to the Committee on Ways and Means.

The following communication was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B.'s Nos. 85 and 83, the same having been correctly printed.

Mantle,
Chairman

H. B. No. 85 was referred to the Committee on Grazing and Stock Growing.

On motion of Blake the rules were suspended, H. B. No. 83 was considered engrossed and placed on the calendar for a third reading.

On motion of Mantle the rules were suspended and C. B. No. 34 was taken from the general orders and placed on the calendar for a third reading.

On motion of Toole the House resolved itself into a Committee of the Whole for the further consideration of general orders.

Mantle in the Chair.

House resumed. Mr. Speaker in the Chair. Mantle of the Committee of the Whole was granted time in which to report.

The following communications were received:

Territory of Montana
Governor's Office
Helena, March 1, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed the following bills which originated in your body, to wit:

Bill No. 61 and entitled, "An act to amend an act entitled an act to enable the County of Lewis and Clarke to erect a court house."

Bill No. 53 and entitled, "An act concerning obscene literature."

Bill No. 45 entitled, "An act to amend an act entitled an act concerning the fees of jurors in civil cases," Approved, February 21, 1881.

Bill No. 46 entitled, "An act to prevent rams and he-goats from running at large;" and;

Bill No. 54 entitled, "An act to compile and arrange the general laws of the Territory of Montana in force at the commencement of the fifteenth regular session of the Legislative Assembly on the tenth day of January, A. D. 1887."

Respectfully,
P. H. Leslie

Council Chamber
Helena, Montana Territory
March 1, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that H. B. No. 58 was laid on the table instead of H. B. No. 50 as stated in communication of this date.

Reuben L. Davis
Chief Clerk

On motion of Blake the Chair appointed Messrs. Blake, Toole, and Harwood as a Conference Committee on the part of the House on H.B. Nos. 1 and 5.

On motion of Mantle the rules were suspended C. B. No. 34 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: None.

Absent: Alderson, Brown, Harwood, Kanouse, Muth — 5.

Title agreed to.

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-SECOND DAY

House of Representatives
March 2nd, 1887

House met pursuant to adjournment at 10 o'clock, a.m.

Mr. Speaker in the Chair. Roll called. Quorum present. Journal of fifty-first day read and approved.

The following reports were received:

Mr. Speaker: The Committee to whom was referred H. B. 74 have amended the same by striking out the word "one" in line 3, of Section 1 and insert "five;" Also strike out the first two words in line 2 of Section 2; And as amended we recommend that the same do pass.

Wilson,
Chairman

Mr. Speaker: Your Committee on Grazing and Stock-growing have had under consideration H. B. No. 85 and report the same back and recommend that the same do pass.

Holt,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred Council Bills Nos. 49 and 50 beg leave to report the same back with the recommendation that they do pass.

Marshall,
Chairman

Mr. Speaker: The Committee on Indian Affairs having under consideration H. B. No. 80, beg leave to report the same back with the recommendation that it do pass.

Harwood,
Chairman

H. B. No. 74 with amendments and H. Bills 80 and 85 and C. Bills Nos. 49 and 50 were placed on the general orders.

The following reports were received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 10 beg leave to report the same correctly enrolled and present the same herewith for your signature.

Hoffman,
Chairman

Mr. Speaker: Your Committee on Incorporations beg leave to report C. B. 45 with accompanying amendments and recommend that as amended it do pass.

Muth,
Chairman

Mr. Speaker announced the signing of H. B. No. 10.

On motion of Muth, the rules were suspended the amendments to C. B. 45 were adopted and they were ordered engrossed.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back House Bills Nos. 86, 87 and 89 correctly printed.

Mantle,
Chairman

H. Bill No. 86 was referred to the Committee on Incorporations.

H. B. No. 87 was referred to the Committee on Judiciary.

H. B. No. 89 was referred to the Committee on Education and Labor.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having had under consideration the following bills, have directed me to make report thereon as follows:

H. B. No. 65: The Committee recommend that it do pass.

H. B. No. 59: The Committee recommend that it do pass.

H. B. No. 32: The Committee recommend that it do not pass.

H. B. No. 57: The Committee recommend that it do pass with amendment to Section 3.

C. B. 18: The Committee recommend that it be laid on the table.

H. J. R. No. 4: The Committee recommend that it do not pass.

C. B. No. 12: The Committee recommend that it do not pass.

H. B. No. 35: The Committee recommend that the substitute do pass as amended.

H. B. No. 64: The Committee recommend that it do pass as amended.

C. B. No. 27: The Committee recommend that it do pass as amended.

Mantle,
Chairman

On motion of Blake H. B. No. 32 and C. Bills Nos. 12 and 18 were laid on the table.

H. Bills Nos. 59 and 65 were ordered engrossed.

The amendments to H. Bills Nos. 57, 35, 64 were adopted and they were ordered engrossed.

On motion of Scobey the amendments to C. B. No. 27 were adopted and they were ordered engrossed.

Blake moved to lay H. J. R. No. 4 on the table. Motion lost.

On motion of Mantle the rules were suspended, H. J. R. No. 4 was considered engrossed and placed on the calendar for a third reading.

On motion of Kanouse the rules were suspended and C. Bills Nos. 49 and 50 were taken from the general orders and placed upon their final passage.

C. B. No. 49 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt,

Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: Alderson, Hanscomb, Johnson — 3.

C. B. No. 50 was read a third time and passed by the following vote:

Ayes: Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 20.

Noes: Blake, Brown, Hanscomb — 3.

Absent: Alderson.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 92, the same having been correctly printed.

Mantle,
Chairman

H. B. No. 92 was referred to the Committee on Elections.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 1, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body: That C. Bills No. 39, 56, 36, 41, 26, 38 and 30, and H. B. No. 62 have passed the Council and the same are herewith transmitted. The Council refused to concur in House amendments to C. B. No. 4, and asks for a Committee of Conference thereon. The Chair appointed Messrs. Kennedy, Collins, and Pardee, to act as such committee on the part of the Council.

Reuben L. Davis
Chief Clerk

H. B. No. 62 was ordered enrolled.

On motion of Blake the Chair appointed as a Conference Committee on the part of the House on C. B. No. 4, Messrs. Marshall, Mantle and Taylor.

C. B. No. 36, "A bill for an act to provide for the appointment and to prescribe the duties of a public examiner for the Territory of Montana." was on motion of Scobey read first and second times by title and referred to the Committee on Territorial Affairs.

C. B. No. 39, "A bill for an act to regulate soliciting by persons requiring the payment of money in advance, or the delivery to them of property at the time of taking an order," was read first and second times and referred to the Committee on Towns and Counties.

C. B. No. 26, "A bill for an act to provide compensation for Samuel Snyder, for certain services and to authorize the County Commissioners of the County of Fergus and Meagher to audit and allow the same," was read first and second time. Blake moved to lay on the table. Motion lost. The bill was referred to the Committee on Ways and Means.

C. B. No. 41, "A bill for an act to amend Section 968 of the Fifth Division of the Revised Statutes" was read first and second times and referred to the Committee on Towns and Counties.

C. B. No. 30, "A bill for an act to amend Section 71, 77, 80 and 81 of the Fifth Division of the Revised Statutes of Montana, increasing the salaries and bonds of the Territorial Auditor and Treasurer," was read first and second times and referred to the Committee on Territorial Affairs.

C. B. No. 56, "A bill for an act to permanently fix and determine the boundary line of Jefferson County," was read first and second times, and, on motion of Alderson the rules were suspended, and the bill was placed on the calendar for a third reading.

On motion of Blake C. B. No. 38: "A bill for an act concerning marriage," was read first and second times by title and referred to the Committee on Judiciary.

On motion of Alderson the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The following report was received:

Mr. Speaker: The Committee of Conference of the two Houses on H.B. No. 1: "An act concerning the crime of rape," having considered the same, beg leave to report the bill back and recommend that the House concur in the Council amendments.

Blake,
Chairman on part of House

On motion of Blake the report was adopted and H. B. No. 1 was ordered enrolled.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration the following bills:

Substitute for H. B. No. 38, which is reported back with the recommendation that it do pass.

C. B. No. 16 and recommend that the words: "and liabilities" be inserted after the words "debts" in sec. 9, and that as so amended the bill do pass.

C. B. No. 1, and recommend that it do pass.

C. B. No. 31 and recommend that it do pass.

C. B. No. 32 and recommend that it do pass.

Muth,
Chairman

On motion of Muth the amendments reported to C. B. No. 16 were adopted and they were ordered engrossed.

H. B. No. 38 was ordered engrossed.

Bills were introduced as follows:

By Johnson: H. B. No. 94, "A bill for an act to amend Sections 5, 6, 10, 11, 15, 18, and 19, of an act entitled an act to suppress and prevent

the dissemination of contagious and infectious diseases among domestic animals and Texas cattle," approved March 10, 1885, and to add Section 20 thereto.

By Page: H. B. No. 95, "A bill for an act to amend Section 355 Title 10, Chapter 3, First Division Revised Statutes of Montana."

By Taylor: H. B. No. 96, "for an act to repeal Section 806 of the Revised Statutes."

The following communication was received:

Council Chamber
Helena, Montana Territory
March 2, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: By consent without previous notice, Sutherlin introduced C. B. No. 57, "A bill for an act to require the owners of barb wire fences to keep the same in repair."

Waters introduced C. J. R. No. 11: "To provide compensation for Wm. Steel and Frank R. Shaffer, accountants," which was read first and second times, and under suspension of the rules read, third time by title, and passed and the same is herewith transmitted.

H. Bills Nos. 71, 23, 41 and 29 have passed the Council and are herewith returned.

Reuben L. Davis
Chief Clerk

H. Bills Nos. 23, 41, 29 and 71 were ordered enrolled.

C. J. R. 11 was read first and second times and referred to the Committee on Ways and Means.

H. B. No. 94 was read first and second times, and on motion of Harwood was referred to the Committee on Grazing and Stock-growing.

H. B. No. 95 was read first and second times and, on motion of Page, was referred to the Judiciary Committee.

H. B. No. 96 was read first and second times, and on motion of Toole was laid on table.

H. B. No. 83 was read a third time and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Mantle, Muth, Page, Scobey, Spaulding, Toole, White, Mr. Speaker — 15.

Noes: Hanscomb, Kanouse, Taylor, Thompson, Titman, Wilson — 6.

Excused: Alderson, Brown, Marshall — 3.

Title agreed to.

H. J. R. No. 4 was read a third time and passed by the following vote:

Ayes: Alderson, Brown, Buskett, Hanscomb, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Spaulding, Taylor, Thompson, Toole, Wilson — 16.

Noes: Blake, Gorham, Harwood, Marshall, Scobey, Titman, White, Mr. Speaker — 8.

Title agreed to.

C. B. No. 1, was read a third time.

Alderson moved to lay the bill on the table. Motion lost. The bill passed by the following vote:

Ayes: Alderson, Brown, Buskett, Gorham, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: Blake, Hanscomb, Harwood, Page, Thompson — 5.

Title agreed to.

C. B. No. 56 was read a third time and on motion of Buskett was referred to a Committee consisting of the members of Jefferson, Silver Bow, Lewis and Clarke, Deer Lodge, Gallatin and Madison Counties.

C. B. No. 32 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: None

Excused: Brown.

Title agreed to.

C. B. No. 31 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Mantle, Marshall, Muth, Page, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 20.

Noes: Alderson, Buskett, Kanouse, Spaulding — 4.

Title agreed to.

Mantle gave notice of a motion to reconsider the vote by which C. B. No. 1 had passed the House.

Kanouse moved to reconsider the vote by which C. B. No. 1 had passed the House.

Marshall moved that the motion to reconsider be laid on the table, which motion prevailed by the following vote:

Ayes: Alderson, Brown, Buskett, Gorham, Hoffman, Holt, Johnson, Kanouse, Marshall, Muth, Spaulding, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 17.

Noes: Blake, Hanscomb, Harwood, Mantle, Page, Scobey, Thompson — 7.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Mantle in the Chair.

House resumed. Mr. Speaker in the Chair. Mantle of the Committee of the Whole was granted time in which to report.

The following report was received:

Mr. Speaker: Your Joint Committee appointed under Council concurrent

resolution No. 1 to examine and report upon the books and accounts of the Territorial Auditor for the years 1885 and 1886, would respectfully report that finding the labor of a thorough examination would consume more time than your committee could conveniently give from their other legislative duties, we employed Wm. Steel and Frank R. Schaffer, able and experienced accountants, who have made a complete and minute examination of the books, accounts, and vouchers connected with said office and have made a report to your committee, a copy of which is hereto annexed, and made a part hereof.

From that report and our own investigations, we are satisfied that the books and accounts of the Auditor and Treasurer are in a satisfactory condition, and that the duties devolving upon said officers have been efficiently and faithfully discharged.

Respectfully submitted,

Wm. Muth
C. R. A. Scobey
William Thompson

The following accompanied the report:

(copy)

Helena, Montana Territory
Feb. 26, 1887

Hon. E. C. Waters, Chairman Joint Committee:

Sir:

We beg to report that we have made a thorough examination of the books kept by the Territorial Auditor for the two years ending Dec. 31, 1886. We have examined all the warrants as paid by the Treasurer and find that they all agree with the original entries.

We have also examined each voucher, and find that they were all valid claims against the Territory, and that in every case, the amount of Warrant drawn on account of the same was correct.

The trial balance of the Auditor will be found annexed.

We have also examined thoroughly the books and accounts of the Territorial Treasurer, and find them correct in every particular. The Treasurer's trial balance will also be found annexed. We take pleasure in commending the neatness and accuracy with which the auditor's and treasurer's books have been kept.

Signed Wm. Steele
 F. R. Schaffer
 Accountants

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-THIRD DAY

House of Representatives
March 3rd, 1887

House met pursuant to adjournment at 10, o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Mantle was granted leave of absence for the day. Prayer by the Chaplain. Journal of fifty-second day read and approved.

The following communication was received:

To the Honorable Speaker and Members of the House of Representatives of the Fifteenth Legislative Assembly of Montana Territory:

Gentlemen:

I hereby respectfully tender my resignation as representative for Lewis and Clarke County, and ask that the same be accepted immediately. In explanation of this action, I would say that any further continuance in holding the office will very seriously embarrass me in some changes I desire to make of a business nature.

Very Respectfully,
Wm. Muth

On motion of Buskett the resignation was accepted.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 36, House amendments to C.B.'s Nos. 16 and 45, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Grazing and Stock-growing, to whom H. B. No. 48 was referred, report the same back with a substitute therefor and recommend that the substitute do pass; and also, H. B. No. 30, with a substitute, therefor, and recommend that the substitute do pass; And also, H. B. No. 94, with amendments and that the same do pass as amended.

Holt,
Chairman

Mr. Speaker: Your Committee on Ways and Means have considered C.J.R. No. 11, and herewith report the same with recommendation that it do pass.

Kanouse,
Chairman

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B. No. 29, and 43, and H. J. R. No. 6, have examined the same and find them correctly enrolled, and present the same herewith for your signature.

Hoffman,
Chairman

H. B. No. 48 with substitute therefor, and H. B. No. 30, with substitute therefor and H. B. No. 94 were placed on the general orders.

H. Bills Nos. 29, 43, and H. J. R. No. 6 were signed by Mr. Speaker.

The following report was received:

Mr. Speaker: Your Committee of the Whole House having had under consideration H. B. No. 66, direct me to report the same back with the recommendation that it do pass.

Also, C. B. No. 25, and report the same back with the recommendation that it be laid upon the table.

Also, C. B. No. 24, and report the same back with the recommendation that the same do pass with amendments.

Mantle,
Chairman

H. B. No. 66 was ordered engrossed.

Toole moved that the report of the Committee of the Whole on C. B. No. 25, be adopted. Harwood amended by moving that the report be rejected.

Thompson moved a call of the House. A call was had and Alderson, Hanscomb, and Page were found to be absent. On motion of Blake further proceedings under the call was dispensed with.

On motion of Blake the further consideration of the motion and amendment was postponed until 2 p.m.

The amendments reported to C. B. No. 24 were adopted, and they were ordered engrossed.

Mr. Speaker announced the signing of C. Bills Nos. 49 and 50.

The following reports were received:

Mr. Speaker: Your Special Committee appointed to inspect the insane asylum and penitentiary have performed their duties, and beg leave to report as follows:

We find the penitentiary at Deer Lodge to be conducted in a creditable and humane manner; the prisoners with whom we conversed being of one opinion, as to their treatment being humane, yet firm and unflinching. The cells, both inside and out, were neat and clean, yet somewhat small to accomodate two prisoners each; their food healthy and abundant, yet the culinary facilities are inadequate for the necessities; and your Committee would suggest that more ample provisions in that respect be immediately made. Their clothing and bedding is comfortable and warm; and the inmates in their isolated and unfortunate condition pass their time in reading choice books and papers kindly furnished them by the Marshall. We do not think the sanitary condition of the institution is what it should be, and recommend that provision be made for placing traps in the cells for sanitary use.

White,
Chairman

Mr. Speaker: Your Special Committee appointed to inspect the penitentiary and insane asylum have performed their duties and beg leave to report as follows: At the insane asylum at Warm Springs, Deer Lodge County, we found the number of patients 134; 17 of whom are women; And while your Committee could suggest vast improvements in the necessary quarters and rooms, particularly where the violent cases are con-

fined, they found the condition of the inmates as good as could be expected; the patients being well fed and clothed, and humanely treated. We would accord great credit to the present contractors for the excellent manner in which they have conducted the institution. But your Committee would earnestly recommend that arrangements be made at the earliest practicable date for the care and safe keeping by the Territory of its insane; the Committee being of the opinion that under the contract system they cannot receive that attention and care which the Territory could give them in an institution of its own.

M. W. White,
Chairman

On motion of Hoffman the reports were adopted.

Mr. Speaker: Your Special Committee, appointed from the members of Lewis and Clarke, Jefferson, Madison, Silver Bow, Gallatin, Deer Lodge and Meagher counties have had under consideration C.B. No. 56, and herewith report it back with amendment and recommend that as amended it do pass.

Buskett,
Chairman

Notices of the introduction of bills were given as follows:

By Marshall, "A bill authorizing the Governor to remove the disabilities of a person convicted of felony after the expiration of sentence."

By Scobey: "A bill to provide for the examination of employees engaged in the operating of railroad trains."

By Johnson, "A bill for an act to provide for the deposit of public money in banks."

Bills were introduced as follows:

By Armstrong: H. B. No. 97, "An act for the establishment of free libraries and reading rooms in incorporated cities in the Territory of Montana."

By Blake: H. B. No. 98, "A bill for an act to amend Sections 587, 589, 590 and 596 of the Code of Civil Procedure concerning Eminent Domain."

By Kanouse: H. B. No. 99, "A bill for an act creating a Territorial Board of Education."

By Gorham: H. B. No. 100, "A bill for an act to create the County of Cascade, to define its boundaries, and to provide for its organization."

The following report was received:

Mr. Speaker: The Committee of Conference of the two Houses on H.B. No. 5, having considered the same beg leave to report the bill back and recommend that the House concur in the Council amendments, excepting those relating to Sections 6 and 9; and the insertion of a new section numbered 9; that the Council recede from the said amendments to Sections 6 and 9 and the insertion of the said new section; and that the word "half" in line 10 Section 6 be struck out and the word "third" be inserted in lieu thereof.

Blake,
Chairman of committee
on part of House

On motion of Blake the report was adopted and H. B. No. 5 was ordered enrolled.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 2, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council receded from amendments to Sections 6 and 9 and insertion of new section numbered 9 to H. B. No. 5; and further amended the bill by striking out the word "half" and inserting in lieu thereof; "third" in line 10 of Section 6 of the bill, which is herewith transmitted.

The vote by which H. B. No. 42 was lost was reconsidered, and the House is requested to return the bill to the Council.

Substitute for H. B. No. 27 was ordered printed.

Mr. President has signed H. Bills Nos. 10 and C. B. 34.

H. Bills Nos. 34, 52 and C. Bills Nos. 52, 55, 37, 43 and 42 have passed the Council and the same are herewith transmitted.

H. B. No. 69 was lost in the Council, and is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 52 was ordered enrolled.

C. B. No. 52: "A bill for an act to regulate the amount of costs of witnesses in criminal cases," was read first and second times and referred to the Committee on Judiciary.

C. B. No. 55: "A bill for an act to amend Section 391 of the Fifth Division of the Revised Statutes of Montana in relation to the duties of county recorders" was read first and second times and referred to the Committee on Towns and Counties.

C. B. No. 37: "A bill for an act prohibiting the sale of intoxicating liquors within two miles of any railroad in process of construction," was read first and second times and referred to the Committee on Judiciary.

On motion of Scobey the rules were suspended and C. B. No. 43: "An act to amend an act entitled an act to organize and regulate the militia." Approved March 10, 1885, was read first and second times by title and referred to Committee on Military Affairs.

On motion of Blake C. B. No. 42: "A bill for an act to create the office of Attorney General," was read first and second times by title and referred to the Committee on Judiciary.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H. B. No. 93 correctly printed.

Marshall,
One of committee

H. B. No. 93 was referred to the Committee on Education and Labor.

House Bills Nos. 97, 98 and 99 were read first and second times and ordered printed.

On motion of Blake H. B. No. 100 was read first and second times by title and referred to the committee consisting of the members of Lewis and Clarke, Choteau and Meagher Counties.

The following communications were received:

The Territory of Montana
Governor's Office
Helena, Montana Territory
March 3, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that on this day I have approved and signed the bills which originated in your body: one No. 56, and is entitled, "An act to amend an act entitled an act to create the county of Yellowstone, and for the election of officers thereof," approved February 26, 1883.

Also the Bill No. 10, and is entitled, "An act to protect the wages of wage-workers."

P. H. Leslie
Council Chamber
Helena, Montana Territory
March 3, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The recommendations of the Conference Committee on C. B. No. 4 were adopted. The Council concurred in all other amendments to the bill except the amendment striking out Sec. 3, and the bill is herewith transmitted.

Reuben L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: We the undersigned, a majority of the Conference Committee, to whom was referred Council Bill No. 4, respectfully report that we were unable to agree with the majority of said committee and report back to the House recommending that the House do not recede from any of the amendments.

Respectfully,
Thos. C. Marshall
J. F. Taylor

On motion of Marshall C. B. No. 4 was laid on the table until tomorrow; H. B. No. 36 was read a third time. By unanimous consent, on motion of Scobey sub-division three of Section Three was stricken out, and the bill passed by the following vote:

Ayes: Blake, Brown, Buskett, Holt, Johnson, Kanouse, Marshall, Page, Thompson, Titman, Toole, White, Wilson — 13.

Noes: Alderson, Gorham, Harwood, Hoffman, Scobey, Spaulding, Taylor, Mr. Speaker — 8.

Absent: Hanscomb, Mantle — 2.

Title agreed to.

On motion of Marshall the House took a recess until 1:30 p.m.

1:30 P. M.

House resumed. Mr. Speaker in the Chair. Roll Called. Quorum present. Absent on leave — Mantle.

C. B. No. 16, under a suspension of the rules was read a third time by title, and passed by the following vote:

Ayes: Blake, Brown, Buskett, Holt, Johnson, Kanouse, Scobey, Spaulding, Thompson, Toole, White, Wilson, Mr. Speaker — 13.

Noes: Alderson, Titman — 2.

Absent: Gorham, Hanscomb, Harwood, Hoffman, Mantle, Marshall, Page, Taylor — 8.

Title agreed to.

C. J. R. No. 11 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Holt, Johnson, Kanouse, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 14.

Noes: Alderson, Titman — 2.

Absent: Gorham, Hanscomb, Harwood, Hoffman, Mantle, Marshall, Page — 7.

Title agreed to.

C. B. No. 45, under a suspension of the rules, was read a third time by title, and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Holt, Johnson, Marshall, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 15.

Noes: Alderson, Kanouse, Titman — 3.

Absent: Hanscomb, Harwood, Hoffman, Mantle, Page — 5.

Title agreed to.

The following reports were received:

Mr. Speaker: Your Committee on Territorial Affairs have had under consideration C. B. No. 30, and H. B. No. 63, ask leave to report the same back with the recommendation that they do pass.

Toole,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs have had under consideration C. B. No. 36, and report the same back with the recommendation that it do pass.

Toole,
Chairman

C. B. No. 36 and H. B. No. 63 were placed on the general orders.

On motion of Toole the rules were suspended and C. B. No. 30 was placed on the calendar for a third reading.

On motion of Hoffman the House concurred in Council amendments to H. B. No. 34, and the bill was ordered enrolled.

Alderson moved a call of the house. A call was had. Absent: Hanscomb.

On motion of Scobey further proceedings under the call were dispensed with.

Blake moved to make the consideration of C. B. No. 25 a special order for 10 a.m. tomorrow. Motion lost.

The amendment of Harwood prevailed and the report of the Committee of the Whole on C.B. No. 25 was rejected by the following vote:

Ayes: Blake, Gorham, Harwood, Holt, Johnson, Kanouse, Page, Scobey, Taylor, Thompson, Titman, Wilson, Mr. Speaker — 13.

Noes: Alderson, Brown, Buskett, Hoffman, Marshall, Spaulding, Toole, White — 8.

Absent: Hanscomb, Mantle — 2.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Toole in the Chair.

House resumed. Mr. Speaker in the Chair. On motion of Marshall the House took a recess until 7:30 p.m.

7:30 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Mantle.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 3, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Collins, by consent, introduced C. B. No. 58: "An act authorizing the Governor to restore the rights of citizenship to discharged convicts."

Rickards introduced C. B. No. 59: "A bill for an act to punish seduction."

Sutherlin introduced C. J. R. No. 12: "To authorize the employment of additional clerks for the enrollment of bills," which were read first and second times, the rules were suspended, the bills considered engrossed read a third time and passed, and are herewith transmitted.

C. J. R. No. 10 and C. B. No. 33 have passed the Council and are herewith transmitted.

Mr. President has signed C. B.'s 49, 50, H. J. R. No. 6, H. B.'s 43 and 29.

C. B. No. 34 has been approved by the Governor.

Reuben L. Davis
Chief Clerk

On motion of Page H. B. No. 38 was recalled from the Committee on Engrossment.

On motion of Brown an additional section was added and further amendments were adopted to the bill and the bill was again ordered engrossed.

H.J.R. No. 5 was lost by following vote:

Ayes: Brown, Buskett, Gorham, Harwood, Page, White, Wilson, Mr. Speaker — 8.

Noes: Alderson, Hanscomb, Holt, Johnson, Kanouse, Marshall, Scobey, Spaulding, Taylor, Titman, Toole — 11.

Absent: Blake, Hoffman, Mantle, Thompson — 4.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Scobey in the Chair.

House resumed. Mr. Speaker in the Chair. Scobey of the Committee of the Whole was granted time to report.

On motion of Buskett the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-FOURTH DAY

House of Representatives
March 4th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of fifty-third day read and approved. Scobey was called to the Chair by Mr. Speaker.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom were referred House amendments to C. B. No. 24, House amendments to C.B. No. 27 House amendments to C. B. No. 56, and House bills Nos. 35 and 59, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Ways and Means to whom was referred C. J. R. No. 8, respectfully report that the beneficiary named in said resolution has held the office of Territorial Treasurer five consecutive terms of two years each, extending up to the present time. That during his second term the duty of recording and publishing marks and brands, which service this resolution asks compensation for was by law devolved upon the Territorial Treasurer as a portion of the duties of that office. That at the time of the next appointment of a Treasurer, and when he entered upon his duties, this said service was as much appurtenant to said office and the salary thereof fixed by law, and therefore was not an extra service then or since. As the question of the adequacy of the salary of Territorial Treasurer, and which is questioned by this resolution, is involved in a bill now pending for its increase, your committee have agreed to refrain from any recommendation that might affect that question, and we herewith report said resolution without recommendation.

Kanouse

Mr. Speaker: Your Committee on Ways and Means have considered and herewith report substitute for C. B. No. 26, with recommendation that it do pass; And H. J. R. No. 7 with amendment, which they recommend be adopted, and that as so amended it do pass.

Kanouse,
Chairman

Mr. Speaker: Your Committee on Incorporation to whom was referred H. B. No. 86, "An act to amend Section 292 of the Fifth Division of the Revised Statutes of Montana," have examined the same and recommend that the same do pass.

Thompson,
Chairman

Mr. Speaker: Your Committee on Judiciary, to whom was referred C. B. No. 52, beg leave to report the same back with the recommendation that it do not pass; Also substitute for C. B. No. 37 with the recommendation that it do pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Towns and Counties beg leave to make the following report: On C.B. No. 41 and recommend that it do not pass; On C. B. No. 39, and recommend that it do not pass; Also, C. B. No. 55 and recommend that it do pass; Also H. B. No. 84 with accompanying amendment and recommend that as amended it do pass.

J. F. Taylor,
Chairman

C. J. R. No. 8 was placed on the general orders.

On motion of Blake the amendments to H. J. R. No. 7 were adopted, and the same was ordered engrossed.

C. Bills Nos. 26, 52, 37, 41, 39 and 55 were placed on the general orders.

The amendments reported to H. B. No. 84 were adopted and the same was placed on the general orders.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House have had under consideration House Bills Nos. 68, 72, 73 and 81 and Council Bill No. 6, and ask leave to report the same back with accompanying amendments, and as thus amended recommend that they do pass.

Toole,
Chairman

The amendments reported to H. Bills Nos. 68, 72, 73, and 81 were adopted and they were ordered engrossed.

On motion of Blake the amendments reported to C. B. No. 6 were rejected.

The following report was received:

To the President of the Council and the Speaker of the House of Representatives:

As a member of the Joint Committee appointed to inspect the insane asylum and penitentiary, I beg leave to submit the following minority report.

Your Committee found upon their visit to the penitentiary, that under the rules then in force, the prisoners were receiving but two meals per day. Of this condition, many of the Territorial prisoners complained to me, on the ground that two meals per day were insufficient, and expressed a desire that immediate and proper steps should be taken to the end that three meals a day might be served during the period of their confinement. I am well aware that if the prisoners could have the selection of their own food that it is possible that two meals per day might be sufficient, but the quantity and quality not being a matter of their own selection, it would seem necessary, in order to properly sustain life and with due regard to the health of the prisoners, that three meals per day should be furnished, and I respectfully recommend that in contracting for the care and feeding of the prisoners that three meals per day be demanded.

I also found from statements made me by prisoners, that the guards are in the habit of punishing prisoners in their discretion and without reference of case for punishment to the warden of the penitentiary. This is a matter which in my judgment, should be speedily corrected and the guards prohibited from inflicting any punishment whatever upon any prisoner confined in the penitentiary except the same be done under the

supervision and by direction of the warden of the penitentiary. I further found that there is no provision for extinguishing fire, and I believe that prompt and proper action should be taken to the end that a fire department should be established within the penitentiary, or that other sufficient means be at once employed to enable them to extinguish fire.

I beg leave further to report that in my judgment some steps should be immediately taken which will enable the Territorial prisoners to be employed at some kind of labor, in such manner as will conflict to the least possible extent with the products of the laborers in the general community. Many of the prisoners urged me to attempt to bring about such an arrangement of their condition and confinement as will enable them to be employed. Confined as they are with nothing to do, when the term of their sentence has expired they are turned loose upon the world disheartened, in no condition to labor, and with no means of caring for themselves and physically wrecked, to the extent that they are powerless if they would in many instances overcome the evil habits formed prior to their confinement, and to enable them to rise, if they would to the dignity of manhood. It has been truly said that an idle brain is the devil's workshop and that when a man is turned loose, after three or five years' confinement, physically unable to cope with other laborers in his struggle for existence, we have added to the possibilities of the commission of crime and have done nothing toward the reformation of the convict. I recommend that some steps be immediately taken whereby the Territorial convicts can be employed as I have hereinbefore suggested, believing that reform can only be effectually attained by preparing the criminal to care for himself after the expiration of his confinement.

E. C. Waters

Mr. Speaker pro tem signed C. Bills Nos. 1, 31, 32, and C.J.R. No. 11.

The following communication was received:

The Territory of Montana
Governor's Office
Helena, March 4, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I did on the 3rd day of March 1887, approve and sign the following bills which originated in your body:

Bill No. 43: Entitled, "An act to amend an act entitled an act concerning fences," approved March 10, 1885. Also Bill No. 29: Entitled, "An act in relation to railroad incorporations;" And, also,

Joint Resolution No. 6; Entitled "H. J. R. authorizing the purchase of office furniture, fixtures and supplies for the office of Governor and Secretary of Montana."

Respectfully,
P. H. Leslie

Hanscomb gave notice of a bill for an act to provide for the appointment of a Territorial boiler inspector.

Mantle was granted leave of absence for the day.

Bills were introduced as follows:

By Marshall: H. B. No. 101, "An act concerning mortgages on both real and personal property."

By Johnson: H. B. No. 102, "A bill for an act to provide for the deposit of the public funds in banks."

C. B. No. 58: "An act authorizing the Governor to restore the rights of citizenship to discharged convicts," was read first and second times, and on motion of Blake, the rules were suspended and the bill was placed on the calendar for a third reading.

C. B. No. 59: "A bill for an act to punish seduction" was read a first time. Blake objected to the bill. The question being put: "Shall this bill be rejected?" The objections were not sustained by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hoffman, Holt, Kanouse, Taylor — 9.

Noes: Hanscomb, Harwood, Marshall, Page, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson — 11.

Absent: Johnson, Mantle, Mr. Speaker — 3.

The bill was read a second time by title and referred to the Committee on Judiciary.

C. J. R. No. 10: "To defray the expenses of the Executive Department," was read first and second times and referred to the Committee on Ways and Means.

C. J. R. No. 12: "To authorize the employment of additional clerks for the enrollment of bills," was read first and second times and referred to the Committee on Ways and Means.

The following report was received:

Mr. Speaker: Your Select Committee having under consideration H. B. No. 50, beg leave to report the same back with following amendments, and as amended recommend the same do pass.

Marshall,
Chairman

On motion of Buskett the amendments reported to H. B. No. 50 were adopted, and the bill was ordered engrossed.

H. Bills Nos. 101 and 102 were read first and second times and ordered printed.

On motion of Toole the rules were suspended, H. B. No. 35 was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 20.

Noes: None.

Absent: Buskett, Mantle, Mr. Speaker — 3.

Title agreed to.

C. B. No. 30 was read a third time.

Toole by unanimous consent amended the bill by inserting after the words "three thousand" wherever it occurs in the bill, and inserting in lieu the words "twenty-five hundred."

The bill passed by the following vote:

Ayes: Alderson, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson — 17.

Noes: Blake, Hanscomb, Page, Titman — 4

Absent: Mantle, Mr. Speaker — 2.

Title agreed to.

On motion of Buskett the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker pro tem Mr. Scobey in the Chair. Roll called. Quorum present. Absent on leave: Mantle. Mr. Speaker was excused for the day.

The following report was received:

Mr. Speaker: Your Committee on Mines and Minerals have had under consideration substitute for C. B. No. 29, and report same back without recommendation, inasmuch as H. B. No. 59 which has already passed the House covers the provision of this bill.

Buskett,
Chairman

On motion of Buskett, C. B. No. 29 was laid on the table.

Alderson moved a call of the House.

A call was had, and Page and Taylor were found to be absent. The absentees having appeared within the bar of the House, and answered to their names, further proceedings under the call were dispensed with.

H. B. No. 59 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 21.

Noes: None.

Absent: Mr. Speaker, Mantle — 2.

Title agreed to.

C. B. No. 6 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Page, Scobey, Taylor, Thompson, Toole, White, Wilson — 15.

Noes: Alderson, Hanscomb, Kanouse, Spaulding, Titman — 5.

Absent: Mantle, Marshall, Mr. Speaker — 3.

Title agreed to.

C. B. No. 58 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Marshall, Page, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson — 17.

Noes: Hanscomb, Spaulding — 2.

Absent: Alderson, Kanouse, Mantle, Mr. Speaker — 4.

Title agreed to.

C. B. No. 25 was read a third time. Harwood moved that the bill be

recommitted to a Special Committee. Alderson raised the point of order that the bill could not be recommitted unless by a suspension of the rules. The Chair decided the point not well taken. Alderson appealed from the decision of the Chair. The question being put: "Shall the decision of the Chair be sustained?" The Chair was overruled by the following vote:

Ayes: Blake, Harwood, Holt, Johnson, Page, Spaulding, Taylor, Titman — 8.

Noes: Alderson, Brown, Buskett, Gorham, Hanscomb, Hoffman, Marshall, Thompson, Toole, White, Wilson — 11.

Absent: Mantle, Mr. Speaker — 2.

Excused: Kanouse — 1. Scobey in the Chair.

C. B. No. 25 was lost by the following vote:

Ayes: Johnson, Page, Scobey, Titman — 4.

Noes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Harwood, Holt, Kanouse, Marshall, Spaulding, Taylor, Thompson, Toole, White, Wilson — 17.

Absent: Mantle, Mr. Speaker — 2.

Marshall moved that the vote by which C. B. No. 25 was lost be reconsidered, and moved that the vote to reconsider be laid upon the table, which motion prevailed.

On motion of Marshall the consideration of C. B. No. 56 was postponed until tomorrow.

C. B. No. 27 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 20.

Noes: None.

Absent: Mantle, Page, Mr. Speaker — 3.

Title agreed to.

C. B. No. 24 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 20.

Noes: None.

Absent: Mantle, Page, Mr. Speaker — 3.

Title agreed to.

C. B. No. 33: "A bill for an act relating to assessment and levy of taxes," under a suspension of the rules was read a first and second time by title, and placed upon the general orders.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 4, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The

Council concurred in House amendments to C. B. No. 45. H. Bills Nos. 55, as amended, and 20, as amended and C. Bills Nos. 57, and 53 have passed the Council and the same are herewith transmitted. C. B. No. 49 and C. B. No. 50 were on March 3rd approved by the Governor.

Mr. President has signed C. J. R. No. 11 and C. Bills Nos. 1, 31 and 32.

Reuben L. Davis
Chief Clerk

On motion of Harwood the House concurred in Council amendments to H. B. No. 55 and the bill was ordered enrolled.

On motion of Marshall, the House refused to concur in Council Amendments to H. B. No. 20, and they were asked to recede.

On motion of Page H. B. No. 38 was recalled from the Committee on Engrossment, the rules were suspended, the bill was considered engrossed, read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 21.

Noes: None.

Absent: Mantle, Mr. Speaker — 2.

Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders, White in the Chair.

House resumed. Mr. Speaker, pro tem in the Chair. White of the Committee of the Whole was granted time to report.

The House resolved itself into a Committee of the Whole for the further consideration of the general orders, Scobey in the Chair.

House resumed. Mr. Speaker pro tem in the Chair.

The following report was received:

Mr. Speaker: Your Committee of the Whole have considered H.B. No. 77 and direct me to report it back with the recommendation that it do not pass; Also, H. B. No. 79 with the recommendation that it do pass; Also, H. B. No. 76 with the accompanying amendments and recommend that it do pass as amended.

C. R. A. Scobey,
Chairman

H. B. No. 79 was ordered engrossed.

On motion of Marshall the rules were suspended, H. B. No. 76 was considered engrossed, read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 21.

Noes: None.

Absent: Mantle, Mr. Speaker — 2.

Title agreed to.

On motion of Marshall H. B. No. 77 was laid on the table.

The following report was received:

Mr. Speaker: The Committee of the Whole House has had under consideration C. B. No. 36, and direct me to report it back to the house and recommend that it be referred to a special committee of five to be appointed by the Chair.

White,
Chairman

On motion of Toole the report was adopted and C. B. No. 36 was referred to Messrs. Kanouse, Johnson, Marshall, Harwood and Page.

On motion of Blake H. B. No. 9 was recalled from the Committee on Towns and Counties and placed upon the general orders.

The following report was received:

Mr. Speaker: Your Committee on Ways and Means have considered and herewith report C. J. R. No. 10, which they recommend do pass. Also C. J. R. No. 12 with amendment, which they recommend be adopted, and that as so amended it do pass.

Kanouse

On motion of Harwood the amendments to C. J. R. No. 12 were adopted the rules were suspended the amendments were considered engrossed, the resolution was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 19.

Noes: Alderson, Hanscomb — 2.

Absent: Mantle, Mr. Speaker — 2.

Title agreed to.

On motion of Blake the rules were suspended, C. J. R. No. 10 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 19.

Noes: Alderson, Hanscomb — 2.

Absent: Mantle, Mr. Speaker — 2.

Title agreed to.

On motion of Alderson the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-FIFTH DAY

House of Representatives
March 5th, 1887

House met pursuant to adjournment at 10 o'clock a. m. Mr. Speaker in the Chair. Roll called. Quorum present. Brown was excused for the day. Journal of the fifty-fourth day read and approved. Kanouse was called to the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 4, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that: H. B. No. 28, as amended, has passed the Council. C. J. R. No. 9, authorizing Charles H. Snell to compile arrange and publish the Laws of Montana was laid on the table.

C. B. No. 48 was indefinitely postponed.

The Governor has this day approved C. Bills 31, 32, 49 and 50 and C. J. R. No. 11.

The Council concurred in House amendments to C. Bills No. 24, 27 and 30.

The Council refused to recede from amendments to H. B. No. 20.

The Council refuses to concur in House amendments to C. B. No. 16, and requests that a Conference Committee of two be appointed. The Chair appointed Collins on such committee on the part of the Council.

H. B. No. 28, 20 and C. B. No. 16 are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Scobey the House concurred in Council amendments to H. B. No. 28, and the bill was ordered engrossed.

The Chair appointed Blake as a member of the Conference Committee on the part of the House on C.B. No. 16.

On motion of Page H. B. No. 20 was referred to a special committee consisting of Page, Marshall, Toole, Thompson and Gorham, with instructions to report this afternoon.

The following reports were received:

Mr. Speaker: Your Committee on Military Affairs having considered C. B. No. 43, beg leave to report the same back with the accompanying amendments and recommend that as so amended the bill do pass.

Blake,
Chairman

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. 34, 71, 62 beg leave to report same correctly enrolled and present the same herewith for your signature.

Hoffman,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom were referred H. B.'s Nos 5, 64, 65, 72, 79, and 81, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred C. B. No. 42 with the recommendation that it do not pass.

Marshall,
Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred C.B. No. 10, beg leave to report the same back, with amendments attached, and recommend that it do pass, as amended; Also H. B. No. 78 and recommend that it do pass. Also substitute for H. B. No. 95 and recommend that the substitute do pass.

Marshall,
Chairman

C. Bills Nos. 43, 42, 10, and H. B. No. 78 were placed on the general orders.

On motion of Page the substitute reported by the Judiciary Committee to H. B. No. 95 was adopted, the rules were suspended, and the bill was placed on the calendar for a third reading.

The following reports were received:

Mr. Speaker: A majority of your Committee on the Judiciary having considered C. B. No. 59: "A bill for an act to punish seduction," beg leave to report the bill back to the House and recommend it do not pass.

Blake
Brown
Kanouse

Mr. Speaker: a minority of your Committee on Judiciary to whom was referred C. B. No. 59 beg to report the same back recommending that it do pass.

Marshall
E. N. Harwood

Scobey moved to lay C. B. No. 59 on the table. Motion lost by the following vote:

Ayes: Blake, Gorham, Hoffman, Holt, Kanouse, Scobey, Taylor — 7.

Noes: Buskett, Hanscomb, Harwood, Johnson, Marshall, Page, Spaulding, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 13.

Absent: Alderson, Brown, Mantle — 3.

The bill was placed on the general orders.

The following report was received:

Mr. Speaker: Your Committee on Judiciary to whom was referred H. B. No. 75, beg leave to report the same back with the recommendation that it do pass.

Marshall,
Chairman

On motion of Marshall C. B. No. 42 and H. B. No. 75 were made a special order for 2 p.m. this day.

The following report was received:

Mr. Speaker: Your Committee on enrollment to whom was referred H.B. No. 41, 1, 23, 52, beg leave to report the same correctly enrolled and present the same herewith for your signature.

Hoffman,
Chairman

Mr. Speaker: Your Special Committee to whom was referred C.B. No. 36, beg leave to report the same back with amendments attached, and recommend that, as amended, it do pass.

Kanouse,
Chairman

C. B. No. 36 was placed upon the general orders.

Bills were introduced as follows:

By Scobey: H. B. No. 103, "An act to improve the efficiency, morality and general standing in railway train service and to further insure the safety of the traveling public."

By Hanscomb: "An act providing for a Territorial inspector of boilers and stationary engines."

The following report was received:

Mr. Speaker: The Committee of the Whole House have had under consideration H. Bills No. 82, No. 85, No. 63 and No. 80, and direct me to report the same back to the House with the accompanying amendments and recommend that they do pass as amended.

M. W. White,
Chairman

The amendments to H. Bills Nos. 82 and 85 were adopted and the bills were ordered engrossed.

House Bills Nos. 63 and 80 were ordered engrossed.

C. B. No. 57: "A bill for an act to require the owners of barbed wire fences to keep the same in repair," was read first and second times and referred to the Committee on Grazing and Stock-growing.

C. B. No. 53: "A bill for an act creating a Territorial board of medical examiners and defining their duties," was read, first and second times and, on motion of Blake was placed on the calender for a third reading.

Mr. Speaker signed C. J. R. No. 12.

H.B. No. 104 was read first and second times, and ordered printed.

H. B. No. 103 was read first and second times, and on motion was referred to a Special Committee consisting of Scobey, Holt and Buskett.

Mr. Speaker announced the signing of H. Bills Nos. 34, 71, 62, 41, 1, 23 and 52.

H. B. No. 65 was read a third time and passed by the following vote:

Ayes: Gorham, Hanscomb, Kanouse, Page, Scobey, Spaulding, Thompson, Toole, White, Wilson, Mr. Speaker — 11.

Noes: Alderson, Blake, Buskett, Harwood, Hoffman, Johnson, Marshall, Taylor, Titman — 9.

Absent: Brown, Holt, Mantle — 3.

Title agreed to.

H. B. No. 72, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 20.

Noes: None.

Absent: Brown, Holt, Mantle — 3.

On motion of Buskett, the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown.

The House resolved itself into a Committee of the Whole for the consideration of C. B. No. 42 and H. B. No. 75. White in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 5, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council concurs in House amendments to C. J. R. No. 12.

C. B. No. 54 was indefinitely postponed.

H. B. No. 26, was lost. Notice of motion to reconsider was given.

H. J. R. Nos. 3 and 4 have passed the Council and are herewith transmitted.

Waters introduced C. J. R. No. 13, which under suspension of the rules was passed and is herewith transmitted.

Cardwell introduced C.J.R. No. 14, which under suspension of the rules was passed and is herewith transmitted.

H. B. No. 90 and C. B. No. 51 have passed the Council with amended titles and the same are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. J. Resolutions Nos. 3 and 4 were ordered enrolled.

On motion of Blake the House concurred in Council amendments to H. B. 90.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 5, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that the recommendation of the Conference Committee on C.B. No. 16 and amendments accompanying same, including House amendments, were adopted, considered engrossed, and the bill is herewith transmitted.

Reuben L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: The undersigned, Committee of Conference on C.B. 16, "An act concerning banks and banking," have duly considered the same and respectfully recommend that all the House amendments be adopted, and that the annexed additional amendments be adopted, and that the bill as so amended do pass.

H. N. Blake
Committee on behalf
of the House

T. E. Collins
Committee on behalf
of the Council

Amendments:

Section 3: Strike all to word "NO" in line six.

Strike out Section 10, and all of Section 11, after "losses" in line 4.

On motion of Blake the report was adopted.

The following report was received:

Mr. Speaker: A majority of the Joint Committee of Conference appointed upon Council Bill No. 4, beg leave to report that they have met and after due and careful consideration have agreed to recommend that the House amendment striking out Section 3 of said bill be receded from. Your Committee are of opinion that said section is the essence of the bill in question; that it is a provision which is universally demanded by the people of the Territory in order that they may be informed of the proceedings of their public officers without having to formally search the records for the information desired.

Your Committee firmly believe that if this section shall become a law, that no future legislature will never be called upon to repeal it. We believe its effect will be to purify the public service, and to create a higher regard for the laws governing county officials, by making all their proceedings public as soon as the same shall have been had.

We believe that the expense incurred to the several counties under the provisions of Section 3 will be no greater than it is at present under the law requiring annual statements to be published, and that even if it were it would be more than offset by the increased economy which will result from the immediate publication of the matters referred to in said Section 3.

Lee Mantle
of House Committee
on Conference

W. Kennedy)	
	)	of Council
J. K. Pardee)	
	)	Committee
T. E. Collins	)	on
	)	Conference

On motion of Mantle the report was adopted by the following vote:

Ayes: Alderson, Blake, Buskett, Hanscomb, Holt, Johnson, Kanouse, Mantle, Scobey, Spaulding, Thompson, Titman — 12.

Noes: Gorham, Harwood, Hoffman, Marshall, Page, Taylor, Toole, White, Wilson, Mr Speaker — 10.

Absent: Brown — 1.

Mr. Speaker announced the signing of C. B. No. 30.

H. B. No. 64 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Brown — 1.

Title agreed to.

H. B. No. 79 was read a third time and lost by the following vote:

Ayes: Blake, Holt, Scobey, Spaulding, Taylor, White — 6.

Noes: Alderson, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Page, Thompson, Titman, Toole, Wilson, Mr. Speaker — 16.

Absent: Brown — 1.

Title agreed to.

Buskett moved to adjourn. Motion lost.

House bill No. 57, under a suspension of the rules was read a third time and passed.

Ayes: Alderson, Blake, Buskett, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Titman, White, Wilson, Mr. Speaker — 16.

Noes: Gorham, Hanscomb, Spaulding, Taylor, Thompson — 5.

Absent: Brown, Toole — 2.

Title agreed to.

H. B. No. 81 under a suspension of the rules was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None

Absent: Brown — 1.

Title agreed to.

H. B. No. 95 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Brown — 1.

Title agreed to.

The following communication was received:

The Territory of Montana
Governor's Office
Helena, Montana Territory
March 5, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed the following bills which originated in your body: To wit: H. Bill No. 34, entitled, "An act to amend an act relative to killing certain animals." Bill No. 62, entitled, "An act to amend an act entitled, 'An act to authorize County Commissioners to issue Bonds to redeem outstanding indebtedness,'" approved March 6, 1883.

Bill No. 52, entitled, "An act to amend Sections 396 and 397 of the Second Division of the Revised Statutes of Montana."

Bill No. 41, entitled, "An act concerning chattel mortgages."

Bill No. 23, entitled, "An act concerning the use of safety cages and iron bonnets in mining shafts."

Bill No. 1, entitled, "An act concerning the crime of rape;" and

Bill No. 71, entitled, "An act to amend Section 161 of the Fourth Division of the Revised Statutes of Montana."

Respectfully,
P. H. Leslie

C. B. No. 53 was read a third time and lost by the following vote:

Ayes: Hoffman, Mantle, Taylor, White — 4.

Noes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Page, Scobey, Spaulding, Thompson, Titman, Toole, Wilson, Mr. Speaker — 17.

Absent: Brown, Marshall — 2.

Title agreed to.

Buskett moved to adjourn. Motion lost.

The House resolved itself into a Committee of the Whole for the consideration of general orders. White in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee on Engrossment report back H.B. No. 85 the same being correctly engrossed.

Spaulding,
Chairman

H. B. No. 85 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Brown — 1.

Title agreed to.

The following report was received:

Mr. Speaker: Your Select Committee to whom was referred Council amendments to H. B. No. 20: "A bill to establish a hospital for the Insane," have had the same under consideration and beg leave to report as follows: That we recommend that the House concur in all amendments made by the Council except that suggested in line 3, Section 10; Also, in line 5, Section 15; Also, lines 6 and 7, Section 15; Also the proviso added to Section 30.

Page,
Chairman

On motion of Page the report was adopted.

The following report was received:

Mr. Speaker: The Committee of the Whole House have had under consideration C. B. No. 33, and direct me to report the bill back to the House and recommend that it do pass.

White,
Chairman

On motion of Marshall the House adjourned until 10 a.m. Monday.

David Marks
Chief Clerk

FIFTY-SEVENTH DAY

House of Representatives
March 7th, 1887

House Met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of fifty-fifth day read and approved.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B. 28, 90, 5 and 55, and H. J. R. 3 and 4, beg leave to report the same correctly enrolled and present the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. J. R. Nos. 3 and 4 and H. Bills Nos. 5, 55, 28 and 90.

The following reports were received:

Mr. Speaker: The Committee on Education and Labor to whom was referred H. B. 89 report the same herewith and recommend that the bill do pass; Also, H. B. No. 93, without recommendation.

E. W. Hanscomb,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom were referred H. J. R. No. 7, H. B.'s Nos. 63, 73, 80, 82 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: A majority of your Committee on Education and Labor have had H. B. No. 93 under consideration and beg leave to report the same back to the house and recommend that it do pass.

M. W. White
Thos. L. Gorham
Lawrence A. Brown

Mr. Speaker: Your Committee on Printing herewith report back H.B.'s Nos. 101 and 102 the same having been correctly printed.

Mantle,
Chairman

Mr. Speaker: Your Committee on Printing herewith report back H.B.'s Nos. 97 and 99, the same having been correctly printed.

Mantle,
Chairman

H. Bills Nos. 89 and 93 were placed upon the general orders.

H. B. No. 101 was referred to the Committee on Judiciary.

H. B. No. 102 was referred to the Committee on Incorporations.

H. B. No. 97 was referred to the Committee on Towns and Counties.

H. B. No. 99 was referred to the Committee on Education and Labor.

The following reports were received:

Mr. Speaker: The Committee of the Whole House have adopted the substitute for H. B. No. 30 and direct me to report the same back to the House and recommend that it do not pass.

White,
Chairman

Mr. Speaker: The Committee of the Whole House having had under consideration C. B. No. 42 and H. B. No. 76 pertaining to the same subject have adopted the latter and direct me to report the same back to the House with the accompanying amendments and recommend that it do pass as amended.

White,
Chairman

On motion of Blake H. B. No. 30 was laid on the table.

On motion of White the amendments offered to H. B. No. 75 were adopted and the bill was ordered engrossed. On motion of Scobey C. B. No. 42 was laid on the table.

Bills were introduced as follows:

By Mantle: H. B. No. 105, "An act to authorize married women to transact business in their own names as sole traders."

By Blake: H. B. No. 106, "An act concerning the construction of certain statutes."

C. J. R. No. 14: "To defray the expenses of the Joint Committee visiting the penitentiary and the Territorial insane asylum and for other purposes" was read first and second times and referred to the members of the Joint Committee that visited the penitentiary and insane asylum.

C. B. No. 51: "A bill for an act concerning the fees of expert witnesses and jurors" was read first and second times, and on motion of Scobey the bill was laid on the table.

Mr. Speaker announced the signing of C. Bills, Nos. 24, 27, 58, 6 and C. J. R. No. 10.

C. J. R. No. 13: "An act for the relief of Farragut Post No. 7 G. A. R." was read first and second times and on motion of Scobey the rules were suspended and the resolution was placed on the calendar for a third reading.

H. B. No. 105 was read first and second times under a suspension of the rules, by title, and referred to the Committee on the Judiciary.

H. B. No. 106 was read first and second times and referred to the Committee on Judiciary.

H. J. R. No. 7 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 21.

Noes: Hanscomb — 1.

Absent: Toole — 1.

Title agreed to.

H. B. No. 80 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent — 1.

Title agreed to.

H. B. No. 82 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Mr. Speaker — 17.

Noes: Alderson, Hanscomb, Kanouse, White, Wilson — 5.

Absent: Toole — 1.

Title agreed to.

H. B. No. 63 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Mantle, Marshall, Page, Spaulding, Taylor, Thompson, Titman, Wilson, Mr. Speaker — 17.

Noes: Alderson, Hanscomb, Kanouse, Scobey, White — 5.

Absent: Toole — 1.

Title agreed to.

H. B. No. 73 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Taylor, Thompson, Titman, Wilson, Mr. Speaker — 18.

Noes: Alderson, Hanscomb, Spaulding, White — 4.

Absent: Toole — 1.

Title agreed to.

The following reports were received:

Mr. Speaker: Your Committee on Judiciary to whom was referred C. B. No. 38, beg leave to report the same back with the recommendation that it do pass; Also, H. B. No. 87, with the recommendation that it do not pass.

Marshall,
Chairman

Mr. Speaker: The representatives from Silver Bow County, being a portion of the Special Committee to whom was referred C.B. No. 5 beg leave to report same back and recommend that it do pass.

Lee Mantle
Wm. Thompson
C. W. Hanscomb

Mr. Speaker: A minority of your Special Committee to whom was

referred C. B. No. 5 beg leave to report the same back and recommend that it do not pass.

White,
Chairman

C. Bills 5 and 38 and H. B. No. 87 were placed on the general orders.

C. J. R. No. 13 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Toole — 1.

Title agreed to.

C. B. No. 33 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Harwood, Holt, Johnson, Mantle, Marshall, Page, Scobey, Spaulding, Thompson, Mr. Speaker — 13.

Noes: Alderson, Gorham, Hanscomb, Kanouse, Taylor, Titman, White — 7.

Absent: Hoffman, Toole, Wilson — 3.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Scobey in the Chair. House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 7, 1887

Mr. Speaker:

I am directed by the Council to return H. B. No. 20. The Council refused to recede, and asks for a Committee of Conference. Collins and Kennedy have been appointed on part of the Council.

Reuben L. Davis
Chief Clerk

The Chair appointed as Conference Committee on part of the House on H. B. No. 20, Messrs. Kanouse, Marshall and Page.

On motion of Gorham the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll Called. Quorum Present. The House resolved itself into a Committee of the Whole for the consideration of general orders. Mantle in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communications were received:

The Territory of Montana
Governor's Office
Helena, March 7, 1887

Gentlemen of the Legislative Assembly:

I have the honor to call your attention to the necessity of some additional legislation upon the subject of insane persons, (the worst of all afflictions to which our race is subject.)

The history of that disease upon the human family has demonstrated the fact, that a large per cent of those adjudged by Courts and juries to be insane, and placed for care and treatment within the curative homes provided for them by the government, have been restored to their reason, or so much improved that they deserve to be and have been discharged from that confinement and turned out again as reasonable and free subjects.

The Territory of Montana has made liberal and humane provisions for the care and treatment of all that unfortunate class of its population. But there is no provision of law sufficiently explicit upon the point at which and when they may and should be discharged, nor is there any provision of law under which the indigent ones of those confined there, can be sent away comfortably clad, and with means of subsistence for any time while returning to friends or searching for employment.

I am advised that when such persons have been discharged heretofore the physicians in charge of the asylum have generously supplied their necessities, but to do so they drafted upon their own private funds; whereas the Territory should supply a fund for that purpose.

I recommend that you enact before your final adjournment a law which will cover these defects in the statutes upon that subject.

Respectfully,
P. H. Leslie

Council Chamber
Helena, Montana Territory
March 7, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Mr. President has signed H. J. R. 3, 4, H. B.'s Nos. 28, 5, 90, 55, and C. J. R. No. 10 and C. B.'s Nos. 27, 24, 58 and 6.

H. J. R. No. 2 was lost in the Council.

H. B. No. 38, as amended, has passed the Council.

H. J. R. No. 2 and H. B. No. 38 are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Marshall the House concurred in Council amendments to H. B. No. 38 and the bill was ordered enrolled.

Mr. Speaker announced the signing of C. B. No. 16.

The following reports were received:

Mr. Speaker: Your Special Committee have had under consideration C. J. R. No. 14 and beg leave to offer the following substitute.

White,
Chairman

Mr. Speaker: A majority of your Committee on Incorporations having considered H. B. No. 102 beg leave to report the bill back with the accompanying amendments, and recommend that as amended it do pass.

Blake,
Johnson

The substitute reported by the Committee on C.J.R. No. 14 was adopted, the rules were suspended and was placed on the calendar for a third reading.

H. B. No. 102 was placed on the general orders.

The following report was received:

Mr. Speaker: Your Committee of Conference on H.B. No. 20, "An act to establish a hospital for the insane," have duly considered the same, and respectfully recommend that the amendments offered by the Council be concurred in, and that the bill as so amended do pass.

Kanouse	)	Committee
)	
Marshall	)	on behalf of
)	
Page	)	the House

Collins	)	Committee
	)	on behalf of
Kennedy	)	the Council

On the motion of Page the report was adopted and the bill was ordered enrolled.

The following report was received:

Mr. Speaker: Your Committee of the Whole having had under consideration the following bills and resolutions have directed me to make the following report thereon:

Substitute for H. B. No. 48, recommend that it do pass as amended.

C. J. R. No. 8 recommend that it do pass.

H. B. No. 94 recommend that it do pass.

C. B. No. 26 recommend that it do pass.

H. B. No. 86 recommend that it do pass.

C. B. No. 52 recommend that it do not pass.

C.B. No. 37 recommend that it do pass as amended.

Mantle,
Chairman

H. bills Nos. 48 and 94 were ordered engrossed.

On motion of Harwood the amendments reported to C. B. 37, were adopted and they were ordered engrossed.

C. J. R. No. 8, under a suspension of the rules was read a third time and passed by the following vote.

Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Mantle, Page, Spaulding, Taylor, Thompson, Titman, Wilson — 15.

Noes: Johnson, Kanouse, Marshall, Toole, White, Mr. Speaker — 6.

Absent: Buskett, Scobey — 2.

Title agreed to.

On motion of Mantle, C. B. No. 10 was taken from the general orders, the rules were suspended, the bill was read a third time and passed by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson — 19.

Noes: Mr. Speaker — 1.

Absent: Alderson, Buskett, Scobey — 3.

Title agreed to.

The House resolved itself into a Committee of the Whole. Page in the Chair. House resumed. Mr. Speaker in the Chair.

The following communications were received:

Council Chamber
Helena, Montana Territory
March 7, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 83 as amended, has passed the Council, and is herewith transmitted.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
March 7, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B.'s No. 81, 44 (as amended) 72, 85, 36 (as amended) 27, as amended, have passed the Council and the same are herewith transmitted.

Hundley introduced (by consent) C. B. No. 60, "A bill for an act to amend an act concerning the inmates of public institutions."

Reuben L. Davis
Chief Clerk

On motion of Blake the House concurred in Council amendments to H. B. No. 83 and the bill was ordered enrolled.

H. Bills Nos. 81, 72 and 85 were ordered enrolled.

On Motion of Taylor the House concurred in Council amendments to H.B. No. 44 and the bill was ordered enrolled. On motion of Page, the House concurred in Council amendments to H.B. No. 27 and the bill was ordered enrolled.

On motion of Marshall the House refused to concur in Council amendments to H. B. 36, and they were asked to recede.

On motion of Marshall the House took a recess until 7:30 p.m.

7:30 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The following report was received:

Mr. Speaker: Your Committee of the Whole have considered H.B. No. 74 and direct me to report it back with amendments, and recommend, as amended it pass.

C.R.A. Scobey,
Chairman

The amendments to H.B. No. 74 were adopted and the same were ordered engrossed.

The following reports were received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 104, the same having been correctly printed.

Mantle,
Chairman

Mr. Speaker: Your Committee to whom was referred House Bill No. 92, entitled, "an act concerning the registration of Voters in incorporated cities," beg leave to report back the same and recommend its passage.

Brown,
Chairman

H. B. No. 104 was referred to the Committee on Territorial Affairs.

H. B. No. 92 was placed on the general orders.

On motion of Blake H. B. No. 68 was taken from the general orders, the rules were suspended, and the bill was placed on the calendar for a third reading.

The House resolved itself into a Committee of the Whole for the further consideration of general orders. Spaulding in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of White the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-EIGHTH DAY

House of Representatives
March 8th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of fifty-seventh day read and approved.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom were referred H. B.'s Nos. 50, 66, 75, and 94 and House amendments to substitute for C. B. No. 37, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

On motion of Scobey the rules were suspended, H. B. No. 50 was read a third time by title and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, White, Wilson, Mr. Speaker — 16.

Noes: Holt, Johnson, Kanouse — 3.

Absent: Alderson, Mantle, Titman, Toole — 4.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee of the Whole who have had under consideration, H. B. No. 93, C. B. Nos. 5 and 38 have directed me to report as follows:

That H. B. No. 93 do not pass.

That C. B. No. 5 be laid upon the table.

That C. B. No. 38 do pass.

Spaulding,
Chairman

On motion of Scobey C. B. No. 5 was laid on the table. H. B. No. 93 was ordered engrossed.

The following report was received:

Mr. Speaker: Your Committee on Grazing and Stock-growing have had under consideration C. B. No. 57 and report the same back and recommend it do pass; Also, C. B. No. 15, and recommend the same do not pass.

Holt,
Chairman

C. Bills Nos. 15 and 57 were placed upon the general orders.

The following report was received:

Mr. Speaker: The Committee of the Whole House have had under consideration the following bills, and I am instructed to report the same back to the House respectively as follows:

C. B. No. 41: "An act to amend Section 968 of the Fifth Division of the Revised Statutes," that it do not pass.

C. B. No. 39: "An act to regulate soliciting by persons requiring the payment of money in advance or the delivery to them of property at the time of taking an order," recommend that it do not pass.

C. B. No. 55: "An act to amend Section 391 of the Fifth Division of the Revised Statutes in relation to duties of recorders," recommend that it do not pass.

H. B. No. 84: "An act fixing the compensation of sheriffs for the board of prisoners." The Committee offered a substitute for this bill which is referred back to House with recommendation that it do not pass.

H. B. No. 9: "An act to apportion the members of the Legislative Assembly." Amended but amendments not adopted. Bill and amendments referred back recommending future consideration.

C. B. No. 36: "An act to provide for the appointment and prescribe the duties of a public examiner for the Territory." Recommend that it do not pass.

C. B. No. 59: "An act to punish seduction," that it do pass.

H. B. No. 78: "An act creating the office of County Attorney." Recommend that it do pass.

C. B. No. 43: "An act to amend an act entitled, an act to organize and regulate the militia," approved March 10, 1885. Amended and as amended the Committee recommend that it do pass.

H. B. No. 89: "An act to amend Section 319 of Chapter One of the First Division of the Revised Statutes." Amended by striking out "provisions," in line one Section 319, and insert in lieu thereof "exemption" and as amended recommend that it do pass.

Page,
Chairman

On motion of Blake C. Bills Nos. 41, 39 and 55 were laid on the table.

H. Bills Nos. 78 and 84 were ordered engrossed.

The amendments to C. B. No. 43 were adopted and they were ordered engrossed.

H. B. No. 9 was again placed upon the general orders.

The amendments to H. Bill No. 89 were adopted and the bill was ordered engrossed.

The following report was received:

Mr. Speaker: Your Special Committee to whom was referred H.B. No. 103 having carefully considered the same, recommend that it do not pass.

C. R. A. Scobey,
Chairman

On motion of Scobey H. B. No. 103 was laid on the table.

The following resolutions were introduced:

By Harwood: H. J. R. No. 8, "To provide for the payment of telegraphing House Joint Memorial No. 5 to the Delegate of Montana at Washington, D. C.," and for other purposes.

By Blake: H. J. R. No. 9, "House Joint Resolution making appropriation for the Historical Society of Montana."

The following communication was received:

The Territory of Montana
Governor's Office
Helena, March 8, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that on the 7th day of March 1887, I approved and signed bills which originated in your body, numbered and titled as follows: Bill No. 28, "An act concerning railroad corporations;"

Bill No. 55, entitled, "A bill for an act to authorize the organization and incorporation of building and loan associations;"

Bill No. 90, entitled, "An act to provide for keeping the military stores and for other purposes;"

Bill No. 5, entitled, "An act concerning the rights of married women;" and House Joint Resolutions No. 4 entitled, "H. J. R. for the relief of Fisk Bros;" and No. 3, entitled, "H. J. R. for the relief of Ansalem J. Davidson and William N. Baldwin."

Respectfully,
P. H. Leslie

The following report was received:

Mr. Speaker: The Committee on Towns and Counties having under consideration House Bill No. 97; a majority of the Committee return same with the recommendation that it do pass.

J. F. Taylor
Thos. C. Marshall
H. N. Blake

H. B. No. 97 was placed on the general orders.

On motion of Blake the rules were suspended and H. J. R. No. 8 was considered engrossed, read a third time and passed by the following vote:

Ayes: Blake, Buskett, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 21.

Noes: None.

Absent: Alderson, Toole — 2.

Title agreed to.

Mr. Speaker announced the signing of C. Bills Nos. 45, 10, 8, 4 and C. J. R. No. 13.

H. J. R. No. 9 was read first and second times and referred to the Committee on Ways and Means.

The following report was received:

Mr. Speaker: Your Committee on Printing herewith report back H.B. No. 98, the same having been correctly printed.

Mantle,
Chairman

H. B. No. 98 was referred to the Committee on Judiciary.

H. B. No. 68 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Taylor, White — 11.

Noes: Alderson, Buskett, Gorham, Hanscomb, Harwood, Spaulding, Thompson, Titman, Wilson, Mr. Speaker — 10.

Absent: Mantle, Toole — 2.

Title agreed to.

H. B. No. 94 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Toole — 1.

Title agreed to.

H. B. No. 75, was read a third time and lost by the following vote:

Ayes: Buskett, Gorham, Holt, Johnson, Marshall, Taylor, White, Wilson — 8.

Noes: Alderson, Blake, Brown, Hanscomb, Harwood, Hoffman, Kanouse, Page, Scobey, Spaulding, Thompson, Titman, Mr. Speaker — 13.

Absent: Mantle, Toole — 2.

H.B. No. 66 was read a third time and lost by the following vote:

Ayes: Buskett, Harwood, Hoffman, Marshall, Page, Spaulding, Taylor — 7.

Noes: Alderson, Blake, Brown, Gorham, Hanscomb, Holt, Johnson, Kanouse, Scobey, Thompson, Titman, White, Wilson, Mr. Speaker — 14.

Absent: Mantle, Toole — 2.

C. J. R. No. 14 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Marshall, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 20.

Noes: Page — 1.

Absent: Mantle, Toole — 2.

Title agreed to.

C. B. No. 52 was read a third time and lost by the following vote:

Ayes: Johnson, Scobey, Taylor, White — 4.

Noes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Kanouse, Mantle, Marshall, Page, Spaulding, Thompson, Titman, Wilson, Mr. Speaker — 18.

Absent: Toole — 1.

C. B. No. 26 was read a third time and passed by the following vote:

Ayes: Alderson, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson — 18.

Noes: Blake, Johnson, Mr. Speaker — 3.

Absent: Holt, Toole — 2.

Title agreed to.

C. B. No. 59 was read a third time and lost by the following vote:

Ayes: Hanscomb, Harwood, Mantle, Marshall, Page, Spaulding, Thompson, Toole, White, Wilson, Mr. Speaker — 11.

Noes: Alderson, Blake, Brown, Buskett, Gorham, Hoffman, Johnson, Kanouse, Scobey, Taylor, Titman — 11.

Absent: Holt — 1.

C. B. No. 38 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Hoffman, Holt, Johnson, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 18.

Noes: Alderson, Buskett, Harwood, Kanouse, Mantle — 5.

Title agreed to.

C. B. No. 37 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: Alderson, Hanscomb — 2.

Title agreed to.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 8, 1887

Mr. Speaker:

I have the honor to inform your honorable body that the Council refuses to recede from its amendments to H. B. No. 36, and requests a Committee of Conference relative to same; that the President has appointed as such Committee on the part of the Council, Messrs. Kennedy, Cardwell, and Batchelder. Said bill is herewith returned.

Reuben L. Davis
Chief Clerk

The Chair appointed as Conference Committee on the part of the House on H. B. No. 36, Messrs. Mantle, Marshall and Toole.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Scobey in the Chair. House resumed. Mr. Speaker in the Chair.

On motion of Holt the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. The House resolved itself into a Committee of the Whole. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 8, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: By unanimous consent the following bills were introduced and disposition made as follows:

By Hickman: C. B. No. 61, "A bill for an act to amend Section 192 of the Fourth Division of the Revised Statutes of Montana."

By Waters: C. B. No. 62, "An act to prevent persons from unlawfully using or wearing the badges of the Grand Army of the Republic, Knights of labor or any other society in this Territory."

Under suspension of the rules, read first, second and third times and passed. Title agreed to; And the same are herewith transmitted. C. B. No. 44, "An act for the care and maintenance of orphan children, has passed the Council and is herewith transmitted."

Kennedy introduced C. J. R. No. 15, instructing the Secretary of the Territory to omit the publication of a certain alleged law relating to the protection of game.

House Bills Nos. 64, 59, 67, 35, 73 (as amended) 80, 82, 76, and 91 have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. Bills Nos. 64, 59, 67, 80, 82 and 91 were ordered enrolled. On motion of Marshall the House refused to concur in Council amendments to H. B. No. 73, and the Council was asked to recede.

On motion of Taylor the House concurred in Council amendments to H. B. No. 76, and the bill was ordered enrolled.

Harwood gave notice that he would on tomorrow move to reconsider the vote by which H. B. No. 75 was lost.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom were referred House amendments to C. B. No. 43 and H. B.'s No. 74, 84 and 86, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B.'s 27, 72, 81, 38, 44 and 85 have examined the same and find them correctly enrolled, and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. Bills Nos. 27, 72, 85, 44, 81 and 38.

The substitute for No. 84 was rejected by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Holt, Johnson, Page, Scobey, Spaulding, Thompson, Titman — 11.

Noes: Alderson, Harwood, Kanouse, Mantle, Marshall, Taylor, Toole, White, Wilson, Mr. Speaker — 10.

Absent: Buskett, Hoffman — 2.

On motion of Marshall all of the substitute with the exception of Section 2 was adopted and the bill was ordered engrossed.

The following report was received:

Mr. Speaker: The Special Committee appointed for that purpose have had under consideration H. B. No. 39 and report a substitute therefor and recommend that such substitute do pass.

Harwood,
Chairman

On motion of Harwood the substitute was adopted.

On motion of Page the rules were suspended, substitute for H. B. No. 39 was considered engrossed, read a third time and passed by the following vote:

Ayes: Blake, Gorham, Harwood, Kanouse, Mantle, Marshall, Page, Spaulding, Thompson, Titman, Toole, White, Wilson — 13.

Noes: Alderson, Brown, Hanscomb, Holt, Johnson, Scobey, Taylor, Mr. Speaker — 8.

Absent: Buskett, Hoffman — 2.

Title agreed to.

Mr. Speaker announced the signing of C. B. No. 26.

The House resolved itself into a Committee of the Whole for the further consideration of general orders, White in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Spaulding H. B. No. 48 was recalled from the Committee on Engrossment, the rules were suspended, the bill was considered engrossed and placed on the calendar for a third reading.

On motion of Blake H. B. No. 20 was recalled from the Committee on Enrollment and the following amendment was adopted:

"Strike out in Section 32 after "be" in line 6 the words "selected by;" and lines 7 and 8, and insert in lieu thereof "appointed by the governor."

The following report was received:

Mr. Speaker: Your Committee on Grazing and Stock-growing have had C. B. No. 47 under consideration and report the same back with amendments, and a majority of the Committee recommend that the same do not pass.

Holt,
Chairman

C. B. No. 47 and amendments were placed on the general orders.

The following report was received:

Mr. Speaker: Your Committee of the Whole have considered H.B. No. 102, and have directed me to report the same back with the recommendation that it be laid on the table.

C. R. A. Scobey,
Chairman

On motion of Toole H. B. No. 102 was laid on the table.

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTY-NINTH DAY

House of Representatives
March 9th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of fifty-eighth day read and approved.

Mr. Speaker announced the signing of C. Bills Nos. 33 and 38.

The following communication was received:

Council Chamber
Helena, Montana Territory,
March 8, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Mr. President has signed H. B.'s Nos. 27, 81, 44, 85, 72 and 38.

C. B.'s No. 10, 16, C. J. R. 8 and C. J. R. No. 13 were this day approved by the Governor. H. J. R. No. 8 (under suspension of rules) C. J. R. 15, C. B. No. 60, H. B. 94 have passed the Council, and the same are herewith transmitted.

The motion to reconsider vote on H. B. No. 26, having been lost, the bill is herewith returned.

Reuben L. Davis
Chief Clerk

H. B. No. 94 was ordered enrolled.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom were referred H. B.'s Nos. 78, 84 and 89, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Territorial Affairs, have had under consideration H. B. No. 104 and ask leave to report the same back without recommendation.

Toole,
Chairman

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B. No. 83, 64, 67, 59, 91, 80, 82 and 76 have examined the same and find them correctly enrolled and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker: A majority of your Committee on Judiciary to whom was referred H. B. No. 101, beg leave to report the same back and recommend that the same do pass.

Marshall
Blake
Kanouse

Mr. Speaker: A minority of your Committee on Judiciary to whom was referred H. B. No. 101, beg leave to report the same back with a recommendation that it do not pass.

Lawrence A. Brown
E. N. Harwood

Mr. Speaker: The Committee on Education and Labor to whom was referred H. B. No. 99 have had the same under consideration and report the same back without recommendation.

C. W. Hanscomb,
Chairman

H. Bills Nos. 104, 101 and 99 were placed on the general orders.

The rules were suspended, 87 and 97 were considered engrossed and placed upon the calendar for a third reading.

Mr. Speaker announced the signing of H. Bills Nos. 83, 64, 67, 59, 91, 80, 82 and 76.

H. J. R. No. 8 was ordered enrolled.

The following report was received:

Mr. Speaker: The Committee of the Whole House have had under consideration H. B. No. 87, and direct me to report the same back to the House without recommendation. Also H. B. No. 97 and C. B. No. 57, and recommend that they do pass; And C. B. No. 15 and recommend that it do not pass; And H. B. No. 92, and recommend that as amended it do pass.

White,
Chairman

On motion of Blake C. B. No. 15 was laid on the table.

On motion of Mantle H. B. No. 92 was further amended and the bill was ordered engrossed.

The following reports were received:

Mr. Speaker: Your Select Committee to whom was referred H. B. No. 100, "An act to create the County of Cascade" beg leave to report the annexed amendments, and recommend that they be adopted, and that the bill, as amended, do pass.

Gorham

Mr. Speaker: A minority of your Select Committee appointed to consider H. Bill No. 100 respectfully report that they have agreed upon amendments reported by the majority of said committee, and that as to the passage of said bill they report without recommendation.

Kanouse,
Titman

Taylor moved to adopt the amendments.

Buskett moved to amend by not adopting the amendments. The amendment offered by Buskett was lost. The motion of Taylor was adopted.

On motion of Mantle the bill was further amended by making the law take effect in 1888.

On motion of Blake Section 4 of the bill was stricken out. The bill was ordered engrossed.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The House amendment to H. B. No. 20 was concurred in. The following further amendment to the bill, viz: Insert after the word "Governor" the words "and confirmed by the Legislative Council" was adopted, and the bill is herewith transmitted to the House.

Reuben L. Davis
Chief Clerk

On motion of Page the House concurred in Council amendments to H. B. No. 20, the bill was ordered enrolled.

The following report was received:

Mr. Speaker: Your Committee on Ways and Means to whom was referred H. J. R. No. 9 herewith report the same with recommendation that it do pass.

Kanouse

On motion of Blake, the rules were suspended H. J. R. No. 9 was considered engrossed, placed upon its final passage and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Titman — 1.

Title agreed to.

The following reports were received:

Mr. Speaker: The majority of the Conference Committee on H. B. 36, relating to license, would report that we recommend that the House concur in all Council amendments to said bill except to amendments to Section 7 and that the Council recede from its amendments to said Section 7.

J. R. Toole
Lee Mantle
Thos. C. Marshall
Will Kennedy

Mr. Speaker: Your Committee on Judiciary to whom was referred H.B. 98, have had same under consideration and report same back with amendments, and recommend that as amended it do pass.

Marshall,
Chairman

The amendments to H. B. No. 98 were adopted, and the bill was ordered engrossed.

On motion of Marshall H. B. 102 was taken from the table. On motion of Blake the bill was further amended and the same was ordered engrossed.

Kanouse moved to take H. B. No. 30 from the table. Motion lost.

C. J. R. No. 15 instructing the Secretary of the Territory to omit the publication of a certain alleged law relating to the protection of game, was read first and second times and referred to the Committee on Judiciary.

C. B. No. 60: "A bill for an act to amend an act concerning inmates of public institutions" was read first and second times and referred to the Committee on Territorial Affairs.

C. B. No. 62: "An act to prevent persons from unlawfully using or wearing the badges of the Grand Army of the Republic, Knights of Labor or any other society in this Territory", was read first and second times, and on motion of Scobey the rules were suspended and the bill was placed on the calendar for third reading.

C. B. No. 61: "A bill for an act to amend Section 192, of the Fourth Division of the Revised Statutes of Montana", was read first and second times. On motion of Blake, the rules were suspended, the bill was placed on the calendar for a third reading.

C. B. No. 44: "An act for the care and maintenance of orphan children," was read first and second times, and referred to the Committee on Judiciary.

H. B. No. 48 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 21.

Noes: Alderson — 1.

Absent: Titman — 1.

Title agreed to.

H. B. No. 74 was read third time and passed by the following vote:

Ayes: Alderson, Brown, Buskett, Harwood, Hoffman, Holt, Marshall, Scobey, Spaulding, Toole, White, Wilson, Mr. Speaker — 13.

Noes: Blake, Gorham, Hanscomb, Johnson, Kanouse, Mantle, Page, Taylor, Thompson — 9.

Absent: Titman — 1.

Title agreed to.

H. B. No. 84 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson — 19.

Noes: Holt, Johnson, Mr. Speaker — 3.

Absent: Titman — 1.

Title agreed to.

H. B. No. 89 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 21.

Noes: Scobey — 1.

Absent: Titman — 1.

Title agreed to.

H. B. No. 78, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker — 19.

Noes: Hanscomb, Scobey, Spaulding — 3.

Absent: Titman — 1.

Title agreed to.

On motion of Harwood the vote by which H. B. No. 75 was lost, was reconsidered.

On motion of Scobey, the House took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Mr. President has signed C. Bills No. 33, 37, and 38; and H. B.'s No. 83, 64, 67, 59, 91, 80, 82, 76.

H. B. No. 68 was laid on the table.

On motion of Collins the Council refused to recede from its amendments to H. B. No. 73 and requests a Committee of Conference thereon, and the bill is herewith transmitted.

The Chair appointed Rickards and Collins to act on the part of the Council as such committee.

H. B. No. 39 was laid on the table.

A communication from the Governor was received, a copy of which together with reports accompanying same are herewith transmitted. Substitute for H. B. No. 95, H. J. R. No. 7, H. Substitute for C.J.R. No. 14, (as amended), H. B. No. 65, as amended have passed and are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. J. R. No. 7, and H. B. No. 95 were ordered enrolled.

On motion of White the House concurred in Council amendments to C.J.R. No. 14.

On motion of Page the House concurred in Council amendments to H.B. No. 65.

The Chair appointed as Conference Committee on H.B. No. 73, Messrs. Scobey, Blake and Kanouse.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 20, 35 and 94, H. J. No. 8, have examined the same and find them correctly enrolled and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B.'s Nos. 94, 20, 35 and H. J. R. No. 8.

H. B. No. 75 was lost by the following vote:

Ayes: Brown, Buskett, Gorham, Johnson, Kanouse, Marshall, Taylor, Toole, White, Wilson — 10.

Noes: Alderson, Blake, Hanscomb, Harwood, Hoffman, Holt, Mantle, Page, Scobey, Spaulding, Thompson, Titman, Mr. Speaker — 13.

H. B. No. 68, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Spaulding, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 23.

Noes: None.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 93 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

H. B. No. 87 was read a third time and lost by the following vote:

Ayes: Gorham, Harwood, Hoffman, Johnson, Page, Taylor, Titman, Toole, White, Mr. Speaker — 10.

Noes: Alderson, Blake, Brown, Buskett, Hanscomb, Holt, Kanouse, Mantle, Marshall, Scobey, Spaulding, Thompson, Wilson — 13.

Marshall moved that the vote by which H. B. No. 87 was lost be reconsidered.

Mantle moved to lay the motion to reconsider on the table, which motion was lost by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hoffman, Holt, Mantle, Marshall, Spaulding, Thompson — 11.

Noes: Hanscomb, Harwood, Johnson, Kanouse, Page, Scobey, Taylor, Titman, Toole, White, Wilson, Mr. Speaker — 12.

The motion to reconsider was carried by the following vote:

Ayes: Alderson, Gorham, Harwood, Johnson, Kanouse, Page, Scobey, Taylor, Titman, Toole, White, Mr. Speaker — 12.

Noes: Blake, Brown, Buskett, Hanscomb, Hoffman, Holt, Mantle, Marshall, Spaulding, Thompson, Wilson — 11.

On motion of Kanouse the bill was laid on table until 10 p.m. tomorrow.

H. B. No. 97 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Toole, White, Wilson, Mr. Speaker — 19.

Noes: Holt, Johnson, Titman — 3.

Absent: Hoffman — 1.

Title agreed to.

H. B. 93 was read a third time.

White by unanimous consent, amended the bill and the bill passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Scobey, Taylor, Toole, White, Mr. Speaker — 15.

Noes: Alderson, Hanscomb, Hoffman, Page, Spaulding, Thompson, Titman, Wilson — 8.

Title amended to read: "An act concerning the school laws of Montana."

On motion of Marshall the vote by which the report of the Conference Committee on H. B. No. 36, was adopted, was reconsidered, and the report was withdrawn.

The following communication was received:

The Territory of Montana
Governor's Office
Helena
March 9, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed bills which originated in your body, titled and numbered as follows: To wit:

Bill No. 72, entitled, "An act to amend Sections 106 and 110 of the Fifth Division of the Revised Statutes of Montana." Bill No. 85, entitled, "An act to amend Sections One, Five, Six, Seven, Eight and Twelve of an act entitled an act for the better protection of the live stock interests of the Territory." Approved March 12, 1885.

Bill No. 27, entitled, "An act to regulate gambling."

Bill No. 44, entitled, "An act to amend Section 380 of the Fifth Division of the Revised Statutes of Montana."

Bill No. 81, entitled, "An act to prevent diseased animals running at large on the public range;" and Bill No. 38, entitled, "An act concerning roads and highways."

Respectfully,
P. H. Leslie

H. B. 61 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: Hanscomb — 1.

Title agreed to.

H. B. 62 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Hoffman, Harwood, Holt, Mantle, Page, Scobey, Thompson, Mr. Speaker — 13.

Noes: Buskett, Johnson, Kanouse, Marshall, Spaulding, Taylor, Titman, Toole, Wilson — 9.

Absent: White — 1.

Title agreed to.

C. B. No. 57 was read a third time and passed by the following vote:

Ayes: Brown, Gorham, Harwood, Hoffman, Holt, Kanouse, Marshall, Page, Scobey, Taylor, Thompson, Titman, Mr. Speaker — 13.

Noes: Alderson, Blake, Buskett, Hanscomb, Johnson, Mantle, Spaulding, Toole, Wilson — 9.

Absent: White — 1.

Title agreed to.

C. B. No. 43 was read third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 21.

Noes: Alderson, Hanscomb — 2.

Title agreed to.

C. B. No. 36, was read a third time and lost by the following vote:

Ayes: Buskett, Holt, Johnson, Marshall, Taylor, White — 6.

Noes: Alderson, Blake, Brown, Gorham, Hanscomb, Hoffman, Kanouse, Mantle, Page, Scobey, Spaulding, Thompson, Titman, Toole, Wilson, Mr. Speaker — 16.

Absent: Harwood — 1.

On motion of Blake H. B. No. 102 was recalled from the Committee on Engrossment, rules suspended, considered engrossed, read third time by title and passed by the following vote:

Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Scobey, Spaulding, Titman, White — 12.

Noes: Alderson, Brown, Hanscomb, Mantle, Marshall, Page, Taylor, Thompson, Toole, Wilson, Mr. Speaker — 11.

Title agreed to.

On motion of Blake, H. B. No. 98 was recalled from the Committee on

Engrossment, the rules were suspended, the bill was considered engrossed, read third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Toole, White, Wilson, Mr. Speaker — 20.

Noes: Holt, Thompson, Titman — 3.

Title agreed to.

Alderson moved to take H. B. No. 14 from the table. Motion lost by the following vote.

Ayes: Alderson, Hanscomb, Hoffman, Page, Scobey, Thompson, White — 7.

Noes: Blake, Brown, Buskett, Gorham, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Spaulding, Taylor, Titman, Toole, Wilson, Mr. Speaker — 16.

The House resolved itself into a Committee of the Whole for the consideration of general orders, Spaulding in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee of the Whole have had under consideration H. B. No. 9 and C. B. No. 47, and instruct me to report as follows:

That H. B. No. 9, as amended, do pass.

That C. B. No. 47, as amended, do pass.

Spaulding,
Chairman

On motion of Blake, the amendments to H. B. No. 9 were adopted, and the bill was ordered engrossed. The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council adopted the report of a minority of the Conference Committee and refused to recede from its amendments to H. B. No. 36, asked for a new conference committee and appointed Collins, Sutherlin and Rickards to act as such committee on the part of the Council.

Reuben L. Davis
Chief Clerk

The Chair appointed as Conference Committee on H. B. No. 36, Kanouse, Harwood and Brown.

On motion of White the Clerk was instructed to ask the Council to return H. B. No. 102.

On motion of Scobey the House took a recess until 7:30 p.m.

7:30 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

Marshall, by unanimous consent, introduced H. B. No. 107, "An act entitled an act to amend an act entitled an act to maintain and establish a hospital for the insane." Read first and second times, rules suspended, read third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Holt, Kanouse, Mantle, Marshall, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 19.

Noes: None.

Absent: Harwood, Johnson, Page, Taylor — 4.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B.'s Nos. 95, 65 and H. J. R. No. 7, have examined the same and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B.'s 65, 95 and H. J. R. No. 7.

The following communications were received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 74 was indefinitely postponed. H. Bills Nos. 48, 78 (as amended) 57 (as amended) have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council refused to concur in House amendments to C.B. No. 43, requested Conference Committee thereon and appointed Rickards, Waters and Kennedy to act as such committee on the part of the Council.

The bill is herewith transmitted.

Reuben L. Davis
Chief Clerk

The House Committee on Military Affairs were appointed as Committee of Conference on the part of the House on H.B. No. 43.

H. B. No. 48 was ordered enrolled.

On motion of Scobey the first Council amendment to H. B. No. 57 was concurred in, and, on motion of Mantle, the House refused to concur in the second amendment, and the Council was asked to recede.

C. B. No. 47 was read a third time and passed by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker - 20.

Noes: Alderson, Hanscomb — 2.

Absent: Hoffman — 1.

Title agreed to.

The following report was received:

Mr. Speaker: The Joint Conference Committee on H. B. No. 36 relating to license would report that we recommend that the House concur in all the Council amendments. Except that to the last paragraph of Section 7, and in that case the license fee shall be one hundred and twenty dollars per annum.

Also accepting Council amendments to Section 22 which, amendment shall be made to read "that no license provided for in Section 7 of this act shall be granted for a less time than six months."

Collins	)	on part of
)	
Sutherlin	)	Council
)	
Rickards)	

Kanouse	)	on part of
)	
Brown	)	House
)	
Harwood)	

On motion of Mantle the report was adopted, and H. B. No. 36 was ordered enrolled.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 9 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 100 beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

H. B. No. 9 was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Kanouse, Mantle, Marshall, Page, Spaulding, Thompson, Titman, Toole, White, Wilson — 17.

Noes: Holt, Johnson, Scobey, Taylor, Mr. Speaker — 5.

Absent: Hoffman — 1.

Title agreed to.

H. B. 100 was read a third time and lost by the following vote:

Ayes: Blake, Gorham, Johnson, Page, Taylor — 5.

Noes: Alderson, Brown, Buskett, Hanscomb, Harwood, Hoffman, Holt, Kanouse, Mantle, Marshall, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 18.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. 102 is returned herewith as requested by the House. H.B. No. 50 has passed the Council and is herewith transmitted. The Council adopted the recommendation of Conference Committee on H.B. No. 36.

Reuben L. Davis
Chief Clerk

On motion of Marshall the House refused to concur in Council amendments to H. B. No. 50 and the Council was asked to recede.

The following report was received:

Mr. Speaker: The Committee of Conference of the two Houses on H.B. No. 43 having considered the same, beg leave to report the bill back, and recommend that the House recede from its amendment striking out Section 1, and that the Council concur in the House amendment to Section 3.

Blake,
Chairman of Committee on part
of the House

Rickards,
Chairman of Committee on part
of the Council

On motion of Blake the report was adopted.

On motion of White the vote by which H. B. No. 102 passed was reconsidered.

On motion of Mantle H. B. No. 102 was laid on the table.

The following report was received:

Mr. Speaker: The Committee on Judiciary having under consideration H. B. No. 106 beg leave to report the same back with a substitute, and recommend that the substitute do pass.

Marshall,
Chairman

On motion of Marshall, substitute for H. B. No. 106 was adopted, the rules were suspended, substitute considered engrossed, and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 21.

Noes: None.

Absent: Hoffman, Toole — 2.

Title agreed to.

On motion of Mantle, H. B. No. 101 was taken from the general orders, the bill was amended, considered engrossed, read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Scobey, Spaulding, Taylor, Titman, Wilson, Mr. Speaker — 17.

Noes: Hanscomb, Marshall, Page, Thompson — 4.

Absent: Toole, White — 2.

Title amended by adding thereto the words "by any incorporated company."

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 48, have examined same and find it correctly enrolled, and present it herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. No. 48.

The following communication was received:

The Territory of Montana
Governor's Office
Helena
March 9, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have this day approved and signed bills which originated in your body titled and numbered as follows, to wit:

Bill No. 83, "An act concerning savings banks and trust deposit and security associations."

Bill No. 80, entitled, "An act regarding the sale of poisonous drugs."

Bill No. 82, entitled, "An act to prevent the poisoning of dogs and other domestic animals, and to define the punishment for the same."

Bill No. 35, entitled, "An act to amend an act relating to liens of mechanics and others."

Bill No. 76, entitled, "An act to amend Sections 1, 2, and 5 of an act entitled an act to protect game, fur bearing animals and fish," Approved March 8, 1883.

Bill No. 67, entitled, "An act in relation to the alienation of mining property by corporations."

Bill No. 64, entitled, "An act concerning the publication of summons."

Bill No. 59, entitled, "An act to amend an act concerning the representation of Quartz lodes."

Bill No. 91, entitled, "An act concerning prisoners in city jails."

Bill No. 94, entitled, "An act to amend Sections 5, 6, 10, 11, 15, 18 and 19 of an act entitled an act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle," Approved March 10, 1885, and to add Section 20 thereto. And H.

J. R. No. 8, entitled: H. J. R. to provide for the payment of telegraphing House Joint Memorial to the delegate of Montana at Washington, D.C., and for other purposes.

Respectfully,
P. H. Leslie

On motion of Scobey the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

SIXTIETH DAY

House of Representatives
March 10th, 1887

House met pursuant to adjournment at 10 o'clock, a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of fifty-ninth day read and approved.

Mr. Speaker announced the signing of C. Bills Nos. 61, 62, 57, and C. J. R. No. 14.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: C. Bills Nos. 26, 37, 38 were this day approved by the Governor.

The Council refused to recede from its amendments to H. B. No. 57 and respectfully requests the appointment of a Committee of Conference thereon.

The Chair appointed Kennedy, Thompson and Sutherlin to act as such Committee on part of the Council.

The Council has concurred in House amendments to C. B. No. 47.

The recommendations of report of Conference Committee on C. B. No. 43 were adopted.

H. J. R. No. 9 was lost in the Council.

H. B. No. 84 has passed the Council. Collins gave notice of motion to reconsider same.

H. B.'s No. 93, 86, 89 and 106 have passed the Council and the same are herewith transmitted.

H. B. No. 107 was referred to a committee of three (the Judiciary Committee), and the House was requested to appoint a special committee of three to confer on same bill.

H. B.'s 57, 93, 86, 89, 106, 107, C. B. No. 43, H. J. R. No. 9 are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Scobey the House concurred in Council amendments to H. B. No. 57, and the bill was ordered enrolled.

H. Bills Nos. 93, 86, 106 were ordered enrolled.

Marshall moved to reconsider the vote by which the resignation of Wm. Muth, as member of this House was accepted.

On motion of Blake the further consideration of the motion was postponed until 2 p.m.

The following report was received:

Mr. Speaker: Your Committee on Territorial Affairs to whom was referred C. B. No. 60, beg leave to report back the same and recommend that it do pass.

Hoffman,
Chairman pro tem

On motion of Blake the rules were suspended, C. B. No. 60, was read a third time and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Holt, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 20.

Noes: None.

Absent: Harwood, Mantle, Toole — 3.

Title agreed to.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H. B. No. 99, beg leave to report the same back correctly engrossed.

Spaulding,
Chairman

On motion of Blake further amendments were offered to H. B. No. 99 the bill was read a third time and lost by the following vote:

Ayes: Blake, Gorham, Harwood, Johnson, Kanouse, Scobey, Titman, White, Mr. Speaker — 9.

Noes: Alderson, Brown, Hanscomb, Hoffman, Mantle, Marshall, Page, Spaulding, Taylor, Thompson, Wilson — 11.

Absent: Buskett, Holt, Toole — 3.

Mr. Speaker announced the signing of C. B. No. 47.

The following communications were received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker: I am directed by the Council to inform your honorable body that: H. B. No. 1 is herewith returned for correction of history not showing that it has ever passed the House.

Also H. B. No. 50; the Council refuses to recede, and asks for a Committee of Conference.

Holliday, Collins, and Waters on part of the Council.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. J. R. No. 9 has passed the Council, being reconsidered and is herewith transmitted.

Reuben L. Davis
Chief Clerk

The Chair appointed as Conference Committee on H. B. No. 50, Messrs. Harwood, Marshall and Mantle.

H. J. R. No. 9 was ordered enrolled.

The following report was received:

Mr. Speaker: Your Committee on Judiciary to whom was referred C.B. No. 44, report the same back and recommend that it do not pass. And C. J. R. No. 15 and report same back and recommend that the same do pass.

Marshall,
Chairman

On motion of Blake C. B. No. 44 was laid on the table. On motion of Blake the rules were suspended and C. J. R. No. 15 was read a third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 19.

Noes: None.

Absent: Buskett, Holt, Mantle, Toole — 4.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 92, beg leave to report same back correctly engrossed.

Spaulding,
Chairman

H. B. No. 92, under suspension of the rules was read a third time by title and passed by the following vote:

Ayes: Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 20.

Noes: Alderson — 1.

Absent: Buskett, Toole — 2.

Title agreed to.

On motion the Chair appointed the House Judiciary Committee as Conference Committee on H. B. No. 107.

On motion of Blake H. B. No. 104 was recalled from the general orders, the rules were suspended and the bill was read a third time and lost by the following vote:

Ayes: Hanscomb, Johnson, Scobey — 3.

Noes: Alderson, Blake, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Kanouse, Mantle, Marshall, Page, Spaulding, Taylor, Thompson, Titman, White, Wilson, Mr. Speaker — 19.

Absent: Toole — 1.

On motion of Scobey the house took a recess until 2 p.m.

2 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Journal up to this hour read and approved.

Mr. Speaker announced the signing of C. B. No. 60, and C.J.R. No. 15.

The following communications were received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Collins withdrew his notice of motion to reconsider H.B. No. 84 and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 101 was read first and second times, and under suspension of the rules passed and is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. Bills Nos. 84 and 101 were ordered enrolled.

The following report was received:

Mr. Speaker: The Conference Committee having under consideration H. B. 50, have agreed to adopt Council amendments as per accompanying report.

Harwood,
Chairman on part of the House

On motion of Harwood the report was adopted.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: By consent C. B. No. 64 was introduced by Holliday, read first and second times, and under suspension of the rules, read third time by its title and passed, and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

C. B. No. 64, "An act to reimburse the sheriffs of the different counties of the Territory of Montana for the Board of Prisoners" was read first time. Scobey objected. The question being put: "Shall this bill be rejected?"

The objections were not sustained by the following vote:

Ayes: Blake, Brown, Buskett, Gorham, Holt, Johnson, Page, Scobey, Spaulding, Thompson, Titman — 11.

Noes: Alderson, Hanscomb, Hoffman, Kanouse, Mantle, Marshall, Taylor, Toole, White, Wilson, Mr. Speaker — 11.

Absent: Harwood — 1.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. 57, 106, 101, 86, 89, 84, and H. J. R. No. 9, have examined the same and found them correctly enrolled, and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. Bills Nos. 8, 86, 106, 101, 57, 84 and H. J. R. No. 9.

C. B. No. 64 was read a third time under a suspension of the rules and lost by the following vote:

Ayes: Alderson, Hanscomb, Hoffman, Kanouse, Mantle, Marshall, Taylor, Toole, White, Wilson — 11.

Noes: Blake, Brown, Buskett, Gorham, Harwood, Holt, Johnson, Page, Scobey, Spaulding, Thompson, Titman — 12.

The following communications were received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that the recommendations of the report of the Committee of Conference on H. B. No. 50 were adopted.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that H. B.'s Nos. 92 and 98, have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

H. Bills Nos. 50, 92 and 98 were ordered enrolled.

Kanouse by unanimous consent introduced H. B. No. 108, "An act to provide for the payment of stock killed by railroads." Read first and second times, rules suspended, considered engrossed, read third time by title and passed by the following vote:

Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman,

Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 22.

Noes: None.

Absent: Hoffman — 1.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 88 has passed the Council and the same is herewith transmitted.

A communication was received from the Governor announcing his approval of C. B. Nos. 33, 57 Bill No. 95, entitled "An act to amend Section 355 of the First Division of the Revised Statutes of Montana," Nos. 47, 62, 4, 61, 60, C. J. R. 15 and 14.

Reuben L. Davis
Chief Clerk

H. B. No. 88 was ordered enrolled.

The motion of Marshall to reconsider the vote by which the resignation of Muth, as representative from Lewis and Clarke was accepted, be reconsidered, was carried and the resignation was rejected.

Marshall moved to take C. B. No. 42 from the table. Motion lost. On motion of Marshall the House took a recess for 30 minutes.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H. B. No. 107, "A bill for an act to amend an act entitled 'An act to establish a hospital for the insane'," was lost and is herewith transmitted.

H. B. No. 108 has passed the Council and the same is herewith transmitted.

C. B.'s 8, 13 and 28, were laid on the table.

Reuben L. Davis
Chief Clerk

H. B. No. 108 was ordered enrolled.

Mr. Speaker announced the signing of C. B. No. 83.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B.'s 83 and 92 have examined the same and find them correctly enrolled and present them herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. Bills Nos. 92 and 93.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 9, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that, (by unanimous consent:) Holliday introduced C. B. No. 63, "A bill for an act defining the apportionment of the members of the House of Representatives in the counties of Meagher and Gallatin." Read first and second times, and under suspension of the rules the bill was read third time and passed and is herewith transmitted.

Reuben L. Davis
Chief Clerk

C. B. No. 63, "A bill for an act defining the apportionment of members of the House of Representatives in the Counties of Meagher and Gallatin," was read first and second times. Kanouse moved that the rules be suspended and the bill be placed on its final passage. Toole amended by moving that it be laid upon the table. Amendment was lost. The motion of Kanouse failing to receive a two thirds vote, was declared lost by the following vote:

Ayes: Alderson, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Page, Scobey, Taylor, Titman, Wilson, Mr. Speaker — 15.

Noes: Blake, Hanscomb, Mantle, Marshall, Spaulding, Thompson, Toole, White — 8.

Absent: Muth — 1.

The bill was placed on the general orders.

The House resolved itself into a Committee of the Whole, Scobey in the Chair. House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee of the Whole House considered C. B. 63, and direct me to report it back with the recommendation that it pass.

C. R. A. Scobey,
Chairman

Mantle moved that C. B. No. 63 be laid on the table. Motion lost.

Toole moved to take a recess until 8 p.m. Motion lost. Kanouse moved the previous question. Motion prevailed. C. B. No. 63 was read a third time and passed by the following vote:

Ayes: Alderson, Brown, Buskett, Gorham, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Taylor, Thompson, Titman, Wilson, Mr. Speaker — 18.

Noes: Blake, Hanscomb, Spaulding, Toole, White — 5.

Absent: Muth.

Title agreed to.

Alderson moved a reconsideration of the vote by which H. B. No. 63 passed.

On motion of Kanouse, the motion was laid on the table.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Collins by unanimous consent introduced C. B. No. 65, "An act to authorize the Commissioners of the County of Choteau to build jails at the towns of Choteau and Great Falls," read first and second times, rules suspended, read third time by title and passed.

Title agreed to and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker: I am directed by the Council to inform your honorable body that: H. B. No. 9 and C. B. No. 35 were indefinitely postponed.

Reuben L. Davis
Chief Clerk

C. B. No. 65, "An act to authorize the Commissioners of the County of Choteau to build jails at the towns of Choteau and Great Falls," was read first and second times, and on motion of Blake was rejected.

The following communication was received:

The Territory of Montana
Governor's Office
Helena,
March 10, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed the bill No. 65, which originated in your body, and is entitled, "A bill for an act to provide for preventing the evil of intemperance by local option in any county in this Territory by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county to provide penalties for its violation, and other purposes."

And, also, H. J. R. No. 7, entitled, "H. J. R. to compensate Chas. H. Snell for compiling and organizing the general and permanent laws of Montana Territory."

Also, Bill No. 86, entitled, "An act to amend Section 292 of the Fifth Division of the Revised Statutes of Montana."

Bill 101, entitled, "An act concerning mortgages on both real and personal property of any incorporated company."

Bill No. 89, entitled, "An act to amend Section 319 of Chapter 1, of the First Division of the Revised Statutes."

Bill No. 57, entitled, "An act reorganizing and consolidating the Montana library."

Bill No. 84, entitled, "An act concerning the fees of sheriffs for the Board of Prisoners."

Bill No. 106, entitled, "An act to provide for compiling, editing, and indexing the General Laws of the Territory of Montana in force at the adjournment of the Fifteenth Regular Session of the Legislative Assembly," and

H. J. R. No. 9, entitled, "H. J. R. making appropriations for the Historical Society of Montana."

Respectfully,
P. H. Leslie

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H. B. 98 and 88 beg leave to report that they have examined the same and find them correctly enrolled and present the same herewith for your signature.

Hoffman

Mr. Speaker announced the signing of H. B. Nos. 88 and 98.

On motion of Blake the House took a recess until 8 p.m.

8 P. M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. The journal up to this hour read and approved.

Mr. Speaker announced the signing of C. B. No. 63.

The following report was received:

Mr. Speaker: Your Committee on Enrollment have examined H.B.'s Nos. 50 and 108 and find the same correctly enrolled, and herewith transmit the same for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. Bills Nos. 50 and 108.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Collins by unanimous consent introduced C. B. No. 66, "An act authorizing County Commissioners to build jails or lock ups." Which was read first and second times, and under suspension of the rules considered engrossed and passed by a unanimous vote. The same is herewith transmitted.

Reuben L. Davis
Chief Clerk

C. B. 66, "An act authorizing the County Commissioners of the several counties to build jails or lock ups," was read first and second times.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Mr. President announced the signing of C. B. No. 63; Also H. B. Nos. 108, 88, 98 and 50.

Reuben L. Davis
Chief Clerk

On motion of Scobey the House took a recess for 10 minutes. House resumed. Mr. Speaker in the Chair. Journal up to this hour read and approved.

The following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Hundley, by unanimous consent introduced C. B. No. 67, "An act to authorize the Territorial Auditor to investigate the claims made upon the fund of killing certain animals," which was read first and second times, and under suspension of the rules, considered engrossed, read third time by title and passed and the same is herewith transmitted. C. B. No. 67, "An act to authorize the Territorial Auditor to investigate the claims made upon the fund for killing certain animals;" read first and second times and lost by the following vote:

Ayes: Johnson, Scobey, Mr. Speaker — 3.

Noes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Holt, Mantle, Marshall, Page, Spaulding, Thompson, Toole — 14.

Absent: Brown, Kanouse, Muth, Taylor, White, Wilson — 6.

Excused: Muth.

The following report was received:

Mr. Speaker: The Committee of Conference of the two Houses on H. B. No. 73, having considered the same, beg leave to report the bill back and recommend that House concur in Council amendments to Section 3; and that in Section 4 line 4, the words: "one thousand" be struck out and "twelve hundred" be inserted.

Blake,
Chairman of Committee on part
of House

T. E. Collins,
Chairman of Committee on part
of Council

On motion of Blake the House adopted the report.

The following communication was received:

Council Chamber
Helena, Montana Territory

March 10, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The recommendations of the report of Conference Committee on H. B. No. 73 was adopted by the Council, and the bill is herewith transmitted.

Reuben L. Davis
Chief Clerk

H. B. No. 73 was ordered enrolled.

H. B. No. 66 was read a third time and passed by the following vote:

Ayes: Alderson, Buskett, Gorham, Hanscomb, Harwood, Holt, Mantle, Marshall, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker — 16.

Noes: Blake, Johnson, Page, Scobey — 4.

Absent: Brown, Kanouse, Muth — 3.

Excused: Hoffman — 1.

Title agreed to.

The following communication was received:

Territory of Montana
Governor's Office
Helena
March 10, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed a bill which originated in your body No. 93, and entitled, "An act to amend the school laws of Montana."

Respectfully,
P. H. Leslie

On motion of Marshall, Messrs. Hoffman, Kanouse and Marshall were appointed to compare H. B. No. 36 and to report the same back at 10:15 p.m.

The following report was received:

Mr. Speaker: Your Committee on Enrollment beg leave to report to you H. B. No. 73 as correctly enrolled, and the same is herewith transmitted for your signature.

Hoffman,
Chairman

On motion of Marshall the House took a recess for 15 minutes.

House resumed. Mr. Speaker in the Chair. Journal up to this hour read and approved.

Mr. Speaker announced the signing of C. B. 66.

The following communication was received:

Territory of Montana
Governor's Office

Helena
March 10, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed bills which originated in your body, numbered and titled as follows:

Bill No. 88, entitled, "An act to amend Sections 585 and 594 of Chapter 22 of the Fifth Division of the Revised Statutes."

Bill No. 50, entitled, "An act concerning the fees and compensation of certain district and county officers."

Bill No. 98, entitled, "An act to amend Section 587, 589, 590 and 596 of the Code of Civil Procedure concerning eminent domain."

Bill No. 108, entitled, "An act to provide for payment for stock killed by railroads."

Bill No. 92, entitled, "A bill for an act concerning the registration of voters in incorporated cities and towns."

Bill No. 93, entitled, "An act to amend the school laws of Montana."

Respectfully,
P. H. Leslie

The following report was received:

Mr. Speaker: Your Committee on Enrollment, to whom was referred H. B. No. 36, have examined the same and find it correctly enrolled and present the same herewith for your signature.

Hoffman,
Chairman

Mr. Speaker announced the signing of H. B. 36.

H. B. No. 87 was read a third time and the following communication was received:

Council Chamber
Helena, Montana Territory
March 10, 1887

Mr. Speaker: I am directed by the Council to inform your honorable body that: The Governor has approved C. B. No. 63.

Also, the President has signed H. B. 73 and 36.

Reuben L. Davis
Chief Clerk

On motion of Mantle the following resolution was adopted:

Resolved: That the thanks of the House of Representatives of the Fifteenth Legislative Assembly of the Territory of Montana are due and are hereby tendered to Hon. Frank K. Armstrong, Speaker of the House for the able and impartial manner in which he has discharged the duties of his office and for the uniform fairness and courtesy which he has shown.

Mantle

On motion of Blake the following resolution was adopted:

Be it resolved that the thanks of this House are hereby tendered to David Marks, Chief Clerk; Samuel Alexander, Sergeant-at-Arms; Harry P. Rodgers, Engrossing and Enrolling Clerk; Benj. Stone, Door Keeper; Arthur Pelletier, Page; for their fidelity in the discharge of their respective duties.

Journal up to this hour read and approved.

The following resolution on motion of Marshall was adopted:

Resolved: That this House is under lasting obligations to the Reverend Beasley for his punctual and patient attendance, and for the earnest, sincere and conscientious performance of his duties.

The following communication was received:

Territory of Montana
Governor's Office
Helena
March 10, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed the bills which originated in your body:

No. 73, entitled, "An act authorizing the appointment of stenographers by the district court," and Bill No. 36, entitled, "An act concerning licenses."

Respectfully,
P. H. Leslie

On motion of Blake the Chair appointed Messrs. Blake, Marshall, and Mantle as a Joint Committee on the part of the House to wait upon the Governor and ask if he has any further communication to make to this legislative assembly.

Journal up to this hour read and approved.

On motion of Alderson the following resolution was adopted:

Resolved that the thanks of the House are due and are hereby tendered to C. R. A. Scobey of Dawson County, who has so often been called to the Chair during the present session, for the ability, impartiality and fairness that he has manifested during his temporary presidency, both in the Committee of the Whole and in full session during the deliberations of this body.

Blake reported that in behalf of Joint Committee that the Governor had no further communication to make.

The hour of 12 having arrived, the gavel fell and Mr. Speaker declared the House of Representatives of the Fifteenth Session of the Legislative Assembly of Montana, adjourned without day.

F. K. Armstrong
Speaker of the House

David Marks
Chief Clerk

We do hereby certify the foregoing from page 1 to 300 both inclusive to be a true and correct journal of proceeding of the House of Representatives of the Fifteenth Legislative Assembly.

F. K. Armstrong
Speaker of the House

Attest

David Marks
Chief Clerk

HOUSE JOURNAL
OF THE
Extraordinary Session
OF THE
Fifteenth Legislative Assembly
OF THE
TERRITORY OF MONTANA

**Begun at Helena, the Capital of said Territory,
on the 29th day of August 1887,
and concluded on the 14th day
of September 1887**

Note: In transcribing this Journal from the original handwritten copy certain grammatical and spelling changes were made for uniformity. The original Journal remains on permanent file in the office of the Secretary of State.

HOUSE JOURNAL

OF THE

Special Session

Fifteenth Legislative Assembly

OF THE

TERRITORY OF MONTANA

FIRST DAY

House of Representatives
August 29th, 1887

At the hour of 12 m. the gavel of Speaker Armstrong fell and in pursuance of the proclamation of his Excellency the Governor of Montana, the House of Representatives of the Fifteenth Legislative Assembly was called to order in Extraordinary Session.

Roll was called and the following members responded to their names. Present: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. Absent: Harwood, Marshall.

The following proclamation was then read.

PROCLAMATION BY THE GOVERNOR

Whereas, There was passed by the Legislative Assembly of the Territory of Montana at the last session thereof, an act entitled "An act relating to Assessment and Levy of Taxes," approved March the 10th, 1887, under which and by virtue of its provisions, chapter fifty-three of the Fifth Division of the Revised Statutes of Montana, relating to revenue, and all acts amendatory thereof are from and after the first day of December, 1887, to stand repealed. And the said act of March the 10th is thereafter to be the law under which property in the Territory of Montana is to be assessed for taxation and the taxes levied and collected for territorial and county purposes; and

Whereas, There are grave doubts and much uncertainty whether the tribunal created by said act and directed to assess certain property for taxation, to levy the taxes for territorial purposes, and to equalize all the assessments for each county, can under the statute legally proceed to organize and perform the duties assigned it by said act; and

Whereas, All powers and functions assumed under doubtful authority in such grave matters as assessment and taxation might lead to confusion, litigation and delay in collecting the revenues necessary to carry on the government; and

Whereas, There are other confusions and uncertainties in said act; and

Whereas, All laws by which the agents of the government make demand of the citizen for taxes, should be so clear and certain as to preclude all doubtful constructions; and,

Whereas, Said assembly passed an act entitled "An act to amend an act relating to killing certain animals," approved March 5th, 1887, which, tested by practical operation for three months and six days, promises to be a ruinous drain upon the public treasury, having within this fraction of a year sent to the auditor's office and procured warrants on the treasury for over twenty-six thousand dollars; and

Whereas, Its demands were increased during the month of June and first seven days of July alone to eighteen thousand dollars. And this experience of thirteen weeks and particularly that of the last five weeks, foreshadows and gives full warning that it would draw from the treasury almost two hundred thousand dollars within the two years before the election and organization of another regular legislature; and

Whereas, The members of the last assembly surely never contemplated imposing such large and questionable burdens upon their constituents; and

Whereas, Serious errors appear in some other laws passed by said legislature, which should be speedily corrected; and

Whereas, There are other rapidly increasing demands upon the treasury under some existing laws, which the public interests require should be curtailed, and other ways regulated by further legislation; and

Whereas, The reasons for calling the legislature in Extraordinary Session were by me submitted to the President of the United States, and were by him duly approved on the thirteenth day of March, 1887,

Now, therefore, I, Preston H. Leslie, Governor of the Territory of Montana, do by virtue of the power vested in me by the organic act of said territory, and by the approval of the President of the United States, hereby order and call upon each and every member of the said Legislative Assembly of the Territory of Montana, to attend and convene themselves in Extraordinary Session at Helena, the capital of said territory, on Monday, the twenty-ninth day of August, A.D. 1887, at twelve o'clock m. of said day, to consider such important subjects of legislation, and perform such duties as the general welfare of the territory may demand.

In testimony whereof I have hereunto set my hand and caused the great seal of the territory to be affixed. Done at Helena, the capital, on this, the eleventh day of July, in the year of our Lord one thousand eight hundred and eighty-seven, and of the Independence of the United States of America the one hundredth and twelfth.

PRESTON H. LESLIE

By the Governor:

WM. B. WEBB, Secretary of Montana.

On motion of Blake, the Chair appointed a committee of three consisting of Blake, Scobey and Toole to inquire what vacancies, if any, there be in the list of officers of the House. On motion of Kanouse, the Chair appointed a committee of three consisting of Kanouse, Taylor and Mantle, on the part of the House to act with a like committee on the part of the Council to wait upon the Governor and inform him that Extraordinary

Session of the 15th Legislative Assembly was now ready to proceed with the business of the session and awaited any communication that he might see fit to make.

On motion of Scobey, the House took a recess for ten minutes. Resumed.

The following report was received:

Mr. Speaker: Your committee appointed to inquire what vacancies, if any, exist in the officers of the House, respectfully report that they have performed the duty assigned to them; that Rev. R. J. Beasley resigned the office of Chaplain after the adjournment of the Legislative Assembly in regular session; that Benj. Stone, who held the office of Watchman, has ceased to be a citizen of the territory; and that the said offices are now vacant.

Blake, Scobey, Toole

The following communication was received:

Council Chamber
Helena, Montana Territory
August 29th, 1887

Mr. Speaker:

I am directed by the Council to inform your Honorable body: that the Council has convened, in accordance with the proclamation of the Governor; that a quorum is present; that Messrs. Kennedy, Sutherlin and Cardwell were appointed a committee to visit the House and inform them, that the Council is duly organized; and that Messrs. Collins, Rickards and Hundley were appointed to act jointly with a like Committee of the House to await upon his Excellency the Governor and inform him that the Legislature has convened in Extraordinary Session and awaits any communication he may desire to make to them.

Respectfully,

R. L. Davis
Chief Clerk

On motion of Blake, the House proceeded to the election of a Chaplain and Watchman.

On motion of Page, the rules were suspended and Rev. C. B. Allen was elected as Chaplain by acclamation. For Watchman, Ed. S. Smith, W. J. Burnett, E. Frank, James Crump and Mike Kelly were placed in nomination. A ballot was had and resulted in Burnett receiving 6 votes, Frank 5, Crump 7, Kelly 2, no choice.

Second Ballot. Smith 1, Burnett 4, Frank 5, Crump 9, Kelly 1, Blank 1. No choice.

Third Ballot. Burnett 2, Frank 2, Crump 17. James Crump having received a majority of all votes cast was declared duly elected as Watchman of the House.

The following report was received:

Mr. Speaker: Your Joint Committee upon the part of the House and Council to wait upon his Excellency the Governor and inform him that the Legislature were convened and ready to receive any communication he might wish to make, have performed the duty assigned them and his Excellency has indicated that he would be pleased to meet the two Houses in Joint Session at 2 o'clock p.m. this day and deliver his message.

Kanouse,
Chairman of Committee
on part of the House

On motion of Mantle, the following resolution was adopted:

Resolved, by the House of Representatives, the Council concurring, that the House and Council meet in Joint Session at 2 o'clock p.m. of this day in the House of Representatives, to receive the message of the Governor.

On motion of Buskett, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The following communication was received:

Council Chamber
Helena, Montana Territory
August 29th, 1887

Mr. Speaker:

I am directed by the Council to inform your Honorable Body: that the Council concurred in the House concurrant Resolution to meet in Joint Session at 2 P.M. of this day in the House of Representatives to receive the message of the Governor.

Respectfully,

R. L. Davis
Chief Clerk

The members of the Council appearing within the Hall of the House, the two bodies resolved themselves into Joint Session for the purpose of receiving the Governor. The Governor was introduced and delivered the following message.

TERRITORY OF MONTANA,
EXECUTIVE OFFICE,
HELENA, August 29th, 1887.

To the Legislative Assembly of the Territory of Montana:

You have been called together at the capital of the territory to hold an Extraordinary Session, with the consent and approval of the President of the United States; and I now proceed in a brief way to submit for your consideration some of the questions and subjects which appear to call for legislative action. All free peoples are jealous and unrestful under the exercise of any doubtful authority, or questionable power over their property, and while all good citizens willingly submit and cheerfully bear all lawful burdens imposed by their government; still they scrutinize carefully, and inquire for the authority of every agent who assumes to have a license to demand of them their money in the shape of taxes, or to otherwise interfere with their property in the name of the state. Hence all the statute laws of the government should be clear, direct and without ambiguity or doubtful construction; otherwise confusion, strife and delay hedge up the pathway of official duty, and tend to the detriment of the public interest.

The law which was passed by your honorable body last March, "Relating to Assessment and Levy of Taxes," does not, as I construe its terms, take

effect and go into operation until December the first, 1887; at which time all of Chapter 53, of the Fifth Division of the Revised Statutes of Montana, relating to revenues, and all acts amendatory thereof, are to stand repealed, and this act of last March becomes a substitute for said repealed statutes. This law which takes effect next December creates an agency for sundry important purposes, to wit:

First — It is to be the assessor for taxable purposes, to the territory and counties, "of all the property in this territory belonging to railway corporations," except certain specified parcels named in the law. Secondly, it is made the duty of said agency to levy the tax for territorial purposes upon all the property in the territory; and, third, this agency is to "examine and compare the returns of the assessment of the property in the several counties of the territory, and to equalize the same, so that all the taxable property in the territory shall be assessed at its true and full value." It will thus be seen that this agency is virtually the assessor of all the taxable property in the territory both for territorial and county taxation, and it fixes and levies the taxes to be collected for territorial purposes. This agency, called in the law "the territorial board of equalization," will consist of "the governor, the auditor and the attorney-general of the territory, and one qualified elector, who shall be a freeholder, from each judicial district of the territory, to be appointed by the governor, with the advice and consent of the council." The duties assigned to this board are specific as to subject matter, and time and place. No taxes can be collected to carry on the territorial government until this board assesses the property, and levies the tax thereon. Neither can any taxes be collected for county purposes till this board examines and approves the returns of the county assessors. Wherefor it is a matter of the greatest moment that whoever shall assume to act as the "territorial board of equalization" shall have the unquestioned power and authority to do so. There is no such officer in the territory as "attorney-general," and the board cannot organize and proceed to business without that law officer as a member. The law does provide that the governor may fill vacancies that may occur in the board; but certainly he could not appoint an attorney-general in the absence of a law creating the office, and, besides, there is no provision in the law that a majority of the members can act as the board, or any suggestion in the law as to what step can be taken in case of any unavoidable absence of members, resulting in less than a majority in attendance, at the time fixed by law for the meeting and execution of the trust so confided to the board. If a majority of the members of the board cannot act for the entire seven members, or if there can be no organization of the board without the attorney-general, then there can be no assessment, levy or collection of taxes in this territory after the first of December next without an amendment curing these omissions in the law. At any rate, the questions are of such grave import, and connected as they are with such vital interests of the people, and fraught with such danger to the public peace, that I commend the subject to your favorable consideration, and ask that you will make such amendments as will free the law of all doubt and confusion.

I also call your attention to some other parts of this revenue law. Section 101 it will be seen imposes upon a public officer — the county clerk — the duty of becoming the insurer and guarantor to every vendee in the conveyance of land offered for record in his office that all previous taxes have been paid thereon; not only so, but he is also made to become the counsellor and advisor, and to decide for such vendee that the land is clear of all incumbrances on account of taxes prior to that time, before he is allowed to put such conveyance to record, and if he fails in these official duties, he is to be fined from one hundred to one thousand dollars, and

must pay all damages resulting from his mistake. I suggest that this is a fearfully harsh exaction to impose upon a public officer; and I recommend that it be so amended as to leave the law as it always has been, when every man may examine for himself the sufficiency of the title to property he is about to buy, and make his own selection of counsel, should he need any.

It seems from Section 76 that it is the duty of the County Treasurer, when land has to be sold on account of unpaid taxes, to sell the entire tract of land, and all it produces in excess of the taxes and costs he is to pay over to the owner. I recommend such modification of the section that he shall only sell so much of the land as will be sufficient to pay the taxes and charges thereon.

Upon re-inspection of Section 20 of this act, I am satisfied it will be seen there is a great amount of labor imposed on the clerk, which can be of very little practical good to the public. It provides that he "shall make out in the Real Property Assessment Book complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known, and if unknown, so state opposite to each tract or lot: the number of acres, and the lots or parts of lots or blocks included in each description of property; and, for the purpose of accuracy and completeness, he shall compare said lists with the maps and plats in his office. In the case of desert land claims and mineral entries located upon unsurveyed lands, and upon which final proof has been made, it shall be considered as good and valid description when listed on the roll by the numbers given and used describing the same in the land office where said entry was made; said books and blanks shall be delivered to the assessor by the county clerk on or before the first day of January, with such instructions from the county board as to insure full and uniform assessments and returns." I submit that, if in your wisdom it is deemed necessary for the public good that this work and these duties shall be performed by the clerk as enjoined by this section, then a full, sufficient number of deputies ought to be supplied by law to the clerk, with the measure of just and fair compensation, to enable him to comply with the law in this regard; for it is most certain that no one man, with a single deputy to help him, can comply with this demand of the statute.

In Section 62, the time given to the clerk within which to do and perform certain important duties, therein prescribed, is manifestly insufficient, and yet heavy penalties are attached to any failure on his part to comply within the time designated in the act. The public interest will surely be as well subserved in extending the time, and accuracy will more certainly be assured; and I recommend accordingly.

There are yet other provisions and parts of this new revenue law which might well be examined and improved, but these to which I have invited your attention are the principal ones now most demanding your action.

The new license law, which took effect the first of July last, forbids and disallows any person the privilege of setting up and carrying on certain descriptions of gaming within the cities, towns and villages of the territory where the population is above three hundred, until a license is obtained for such privilege; and the same inhibition applies to cities, towns and villages where the population is less than three hundred, but in this class the license fee is less; and all other places and parts of the territory, whether the number of persons assembled together, or temporarily residing near each other, be great or small, are exempt from the provisions of this law. It occurs to me that, if the privilege of gambling in cities, towns and villages should pay a tax, the same privilege exercised

among men engaged in mining, or in constructing railroads, or in the midst of the multitude assembled at the fair ground, or upon the race field, or at any other place, should pay the same, or a proportional license; or if an enterprising person, engaged in that line of thrift, shall conclude to set up and prosecute a business of that kind just a little outside of a city, town or village, but near enough to attract the people of such city, town or village, he too ought to pay as much as his competing gambler on the inside. There was an act passed and approved on the 9th day of March last which makes it a felony, and fixes the punishment of service in the penitentiary, for carrying on or engaging in certain descriptions of games within this territory, to wit: "Three card monte," "strap game," "thimble rig," "patent safe game," "black and red game" (commonly known as the ten dice game), "percentage," "stud-horse poker," "percentage draw poker," "twenty-one," "high ball," "blue jay," "chuck luck," "short faro," or any "dice game;" while the act passed and approved the next day, commonly called the license law, forbids that any person shall engage in these same games in cities, towns or villages until a license is obtained for such privilege. Whatever of seeming conflict there may be in these two enactments should be remedied by amendment. The amount of revenue being derived from licenses for the privilege of gambling is very many thousands of dollars less than heretofore, and yet it is asserted and believed that there is no diminution in any class of gaming heretofore common in this territory. If it is the purpose of the legislature to curtail or put a stop to that class of gaming itemized in the said act of the 9th of March, and to disallow other sorts or names of gambling, except upon a license, then, to accomplish these ends, some law ought to be passed providing more certainly for the enforcement of the laws against those who violate and disregard their commands.

It will be seen by an inspection of this license law that while liquor dealers are required to pay for and get a license to sell in quantities above, and in quantities less than one gallon, there is no law requiring a license to sell an even gallon. This, of course, was an oversight in the draftsman of the act, and can be easily remedied.

This license law very wisely and very justly imposed a tax upon peddlers and upon commercial travelers and drummers, as they are called, for the privilege of prosecuting their business or calling in this territory; and this law very properly applies to all persons, whether they be citizens of Montana or of other territories or states. But since the adjournment of the legislature in March last, one judge, if not more in this territory has decided that under the rulings of the Supreme Court of the United States all commercial travelers and drummers residing outside of the Territory of Montana have the right to come into our bounds, and carry on and prosecute their business of drumming, and selling by sample, without paying for or procuring a license to do so from the authorities of this government; and that therefore the laws of this territory in that regard cannot and must not be enforced against such non-residents; and I suppose the same ruling will apply to non-resident peddlers doing business on the soil of Montana, and to non-resident lawyers, physicians, assayists, etc. It results therefore that now, and ever since the decision was made, the citizens of Montana who live here and pay their taxes, and are ready to perform every act of good citizenship, and to make any sacrifice for the good of their government, are compelled to pay for and get a license to sell by sample, to peddle, or to act the commercial traveler; while all the merchants in the states and other territories have the right to send in their drummers, and sell their goods by sample, or to peddle out their goods amongst our people, without paying one cent of tax in any way for the support of this government, and thus the position is taken in support

of discrimination in favor of the non-resident, and against our own people. I do not concur in the understanding that the Supreme Court of the United States has ever had this precise question under advisement, and rendered the decision claimed; and while I do most respectfully acquiesce in the decisions of our courts touching the enforcement of the law, yet I believe that our law is constitutional, and eminently just, and would have the Territory of Montana take the question direct to the Supreme Court of the United States for investigation and decision; and in the meantime, and by all means, I ask that you amend this law so as to give our own people an equal chance with those outside, who have no interest in Montana except to hasten in and get all of the good trade they can, and then retire.

I deem it my duty to call your attention to the practical workings of the act passed by your honorable body, and approved on the 5th day of March last, commonly called the "bounty law." It is no new experiment in Montana to have a bounty law. There have been such laws on the statute books ever since the 17th of February, 1879, and very many of the states, if not all of them, have had, and some of them now have, similar laws, as a means of relief from the ravages of hostile animals that forage upon the buddings of civilization, and such laws, carefully prepared and guarded, have always found favor with the people. The first law upon the subject in Montana vested in the county commissioners of each county the power to offer, and cause to be paid out of the county treasury, such bounty as in their discretion ought to be paid for killing or destroying certain vicious wild animals. Whether any commissioners ever did deem it necessary, and levied such tax upon the people of their county under the law vesting them with such authority, I am not advised; but on the 8th of March, 1883, the law was amended, and a very inviting bounty was offered and made payable out of the treasury of the territory — eight dollars for each bear, eight dollars for each mountain lion, one dollar for each wolf and fifty cents for each coyote. Under this law there was paid for during the year 1883.....

For the year 1884.....	\$ 1,712.50
For the year 1885.....	\$11,740.50
For the year 1886.....	\$11,837.50
	\$13,764.00

\$39,054.50

The present law reduced the bounty upon bears and lions to the sum of three dollars for each bear, three dollars for each lion, and increased to two dollars for each wolf, and one dollar for each coyote, and also increased the list of animals on which the territory should pay a bounty, to wit: Ten cents for each prairie dog, and five cents for each ground squirrel. The warrants which the auditor has issued under authority of the bounty law since the first of January, 1887, amount as follows:

For the month of January.....	\$ 621.00
For the month of February.....	466.50
For the month of March.....	604.00
For the month of April.....	3,035.40
For the month of May.....	5,270.40
For the month of June.....	14,007.30
For the month of July.....	12,296.10
First 23 days of August.....	11,711.85
	<hr/> \$48,012.55

Of this \$48,012.55, \$41,060.05 was for ground squirrels and prairie dogs. Thus it is seen that the bounties paid out for the first four years after the public treasury was legislated into this liability amounted to \$39,054.50; while for the first seven months and 20 days of this year, the amount is \$48,012.55 and of that amount \$41,060.05 is for squirrels and prairie dogs, for which warrants were issued upon the treasury between the 1st of April and the 23rd day of August inclusive. I have procured from the auditor a tabulated statement, showing the proportion to each county in the territory of these large gifts from the public treasury, and the same is attached to and made a part of this message.

It is due to you and your constituency that this subject be presented, and its avarice for the peoples' money fully shown. Amongst the estimated charges upon the public treasury for the year 1887, made out and reported by the auditor in his annual report to the legislature last January, this item — bounty for killing animals — was set down at \$14,000.00; whereas it amounts now, before the first eight months have passed by, to almost four times his estimate, and the volume of draft, as the calls through this month of August show, is not in any sense decreasing. Already (and for several weeks gone) every dollar in the treasury has been paid out, and the territory is now going in debt every day for killing squirrels, prairie dogs, wolves, etc., and interest is accumulating upon that indebtedness. The enormous demands under this law upon the public treasury have awakened suspicion, and prompted careful scrutiny of its entire framework, provisions, etc.; and it is seen that the pathway to the treasury from the killing of the animal at his home in the mountain is easily found, is full of temptations, and very dangerous to the pockets of the people. In the whole body of the law, and in all its parts, there is a careless looseness, and utter absence of any safeguards against fraud, false swearing, perjury, bribery, cheat or imposition, or of provisions to punish either of those crimes committed in the vicious use of the law. The very officer whose certificate is made to unbolt the doors of the treasury is made to be interested on the side of the applicant, and against the territory. He is not required to make or keep a record of the transaction, or even to file away and preserve the affidavit of the applicant. The law shows the facts that the affidavit must contain, and, of course, it is attempted in every instance to have the affidavit conform to the law; but all that is required is the naked statement of the applicant, and just what he says as to when they were killed, in what county, in what territory, and whether outside of a reservation or park, is to be taken as true. The law does provide that he must have two witnesses, who shall make affidavit that they believe what he says to be true. The applicant may be a person of good character, or the vilest and most unworthy, and yet if he comes with his two believing witnesses, the officer may proceed to count and certify accordingly. The law makes the certificate of this district officer a voucher to be honored by the treasury of the territory upon presentation, and whatever of doubt or suspicion there may be of its genuineness there is no provision for investigation and delay, or for other action to be taken in order to detect the overreaching avarice of the unscrupulous fabricator.

I recommend that if this law, or anything of its kind, is to be continued, that you carefully digest and recast its structure, and place about it such guards and restrictions as will more effectually save the territory from fraud and speculation through its liberal offerings; provide suitable punishment for every crime committed in seeking to obtain the munificence of this law.

Moreover, it is your sense of justice and fairness to the taxpayers of

the territory that this law shall continue with all its exhausting force upon the public treasury, then the necessity is upon you, and you should at this extra session pass a law whereby money enough beyond the present resources will come into the treasury to pay its demands. The ordinary expenses necessary to carry on the government, and the cost of caring for the insane, supporting criminals, and the cost of their prosecution, are burdens upon the treasury which must be met; and just in this connection it may be stated that the cost of taking care of those adjudged insane, and for prosecuting and supporting the criminals, is swelling at a most rapid rate every month. There is no question in my mind but the insane of this territory are, under our present system of care for them, being humanely and well nursed and cared for; but the cost is enormous, and excessively high. I recommend that you formulate a bill, and pass it, making provision for purchase of suitable grounds, and the erection of buildings thereon, properly adapted to the purposes of an asylum, and for the reception and care therein of that unfortunate class of our fellow beings. There is nothing in all the charms of American civilization more noble, and that shines as a brighter star, than the lavish hand with which states, cities, towns and communities all over this country, teeming with its millions of people, have given money, erected buildings, supplied comforts, and purchased the very highest order of medical skill and nursing for those, our suffering brothers and sisters. Montana's people are not free from this malady. We have in our midst the same sad garments of distress enshrouding many families, and the number is increasing at an alarming rate. Duty to them, and duty to ourselves, and to the government we have and intend to preserve, and the soundest economy, as well, demand that you shall inaugurate this great benefaction, and provide for its pushing forward to completion. I shall most cheerfully cooperate with you in this, and every other legislation which shall be within the authority, and not in violation of the organic act of Congress creating this government.

Since the adjournment of the legislature last March, two most foul and murderous attempts have been made to derail and wreck running trains of railroad cars within this territory, and each train at the time was carrying large numbers of human beings. These attempts to thus destroy property, and rob and destroy human life, is wickedness and crime of the very darkest type, and marks the perpetrator as a public enemy. Fortunately and most miraculously, both of these attempts failed of their design; but the intent to murder and destroy property moved and prompted the act. It is a remarkable fact that there is no statute law of this territory denouncing such conduct, and fixing a punishment for attempts of this character, nor even for willfully engaging in such attempt in which a train of cars may be utterly destroyed, and involving millions of dollars worth of property. Other territories and all the states and the government of the United States have laws that apply to all such dastardly acts; and I ask that you pass a most stringent law upon this subject, and fix such penalty upon the crime as will truly represent the sentiment of Montana's people, and show their full detestation of such crime.

I also beg leave to direct your attention to an inquiry as to whether some further amendments to the criminal code are not necessary and desirable, in order to afford railroads the full protection of the law to which they are justly entitled. The criminal code was adopted before the advent of railroads into the territory, and framed to meet the conditions then existing. Wisely enough many provisions commonly found in the penal code of the states, with reference to this class of property were omitted from our penal code, leaving the labor of supplying them to subsequent legislatures, when the changed condition of the country should make their

enactment necessary. The rapid construction of these improved highways of commerce and travel in every part of the territory admonishes us that this work of amendment ought not to be longer delayed. This class of property contributes largely to the public revenue, and it is of right entitled to the fullest and most ample protection of the law. Without assuming to cover all of the details wherein amendments are desirable, permit me to suggest a few of the more important matters requiring immediate attention. It should be made an offense to set fire to or burn any railroad bridge, trestle, culvert, or any portion of the superstructure of a railroad; and here I may particularly direct your attention to the section of the statute against burning bridges now enforced. The language is, "Any bridge across any stream." I need scarcely suggest to you that the wilful burning of any bridge on a highway, whether it be across a stream or not, ought to be included within the statute. Maliciously opening or displacing a railroad switch, or placing on the road any obstruction, whereby a train may be derailed, or in anywise injured, should be denounced, and suitably punished. The law of larceny should be so amended as to include tickets entitling the holder to a passage on any public conveyance, and the value of such ticket should be fixed at the sum at which tickets are sold by the proprietors of such conveyance to persons desiring to travel between the points designated in the ticket. It has been found expedient in some of the states to make train conductors peace officers and give them authority to make arrests for breaches of the peace and other offenses occurring on trains in their charge. They should be required to turn the offender over to the nearest sheriff on the line of their road in the direction in which their train is running, and such offense should be made punishable in any county through which the road passes on which the offense may be committed.

I call your attention to House Joint Resolution number 9, adopted and approved March 10th, 1887, and to Section 25, Article 1, Chapter 2, of Fifth Division of Revised Statutes of Montana, and submit the question whether it was intended in adopting the said resolution number 9 to include the provision made for the same institution in said Section 25 of said chapter. If such was the purpose of said resolution, then there should be an amendment explanatory, so as to merge the one into the other.

There are yet other important subjects to which your attention might very well be directed as deserving your notice and the favor of your legislative action; but with the view to shorten as much as possible consistent, with the public interest, the time and length of this Extraordinary Session, I have thought it most proper to present in this message, for your consideration, only such subjects in questions as demand immediate legislative action, and these, as you perceive, are mainly those touching the finances of the territory, the assessment and gathering of the public revenues, and their just disbursement under the wisest economy; and I am sure when you have considered and acted upon these suggestions, and only such others (if there are any) as your sense of duty shall impress you must now, for the public good, be legislated upon, that all others will be remitted to the people and their chosen agents of the next regular session.

I regret the necessity which has compelled me to have you leave your homes at this very busy season of the year to engage again in earnest thought and deliberation upon matters of legislation. Nothing but the strongest abiding sense of duty has prompted this action. I regret the more such necessity for this session of the legislative assembly because there are no means at command with which to pay the members their per diem or mileage, or any of the expenses incident to this coming together, until the meeting of Congress in December, and until provisions shall then be

made. I shall make haste to have the subject brought to the notice of that body promptly and urge immediate action thereon.

Good government is full of the spirit of justice, liberality and charity toward all its subjects; and is never parsimonious in providing for its own agencies, and the peace and happiness of its own people; or in protecting their honor, and opening out to them the lights of progress and improvement. But true statesmanship abhors every appearance of wasteful extravagance, and all favoritism that smacks of class legislation, or is tinged in any degree with oppressive burdens upon any one species of property, industry or laudable business, while others are exempted, or so lightly burdened, as to savor of discrimination for one and against another. Nor is the labor of the people to be taxed or in any way burdened by legislative enactments. It is the great moulder of the governments material wealth, and no statute that in any degree clogs its life force is acceptable in this country. Nor will patriotism, tempered by true charity, encourage county jealousies, or other local envyings, amongst the parts of this growing territory. There is not one member of the Council, or of the House of Representatives, but who, although chosen by a particular constituency, and is the representative of that particular district, is also the representative and law maker of every county and every citizen of the territory. I assume that each and every one of you will deliberate and act upon the broad platform of the high and honorable position to which you have been called by your confiding constituencies, and I shall willingly share with you those great responsibilities, and sympathize in all your labors and efforts for the public good.

P. H. LESLIE

Bounties for killing certain animals paid to the several counties from January 1st to August 23rd, 1887, for all animals for which bounties are paid:

To Beaverhead County.....	\$ 560.10
To Choteau County	2,571.00
To Custer County.....	972.30
To Dawson County	1,866.90
To Deer Lodge County.....	266.30
To Fergus County.....	5,344.15
To Gallatin County.....	23,779.70
To Jefferson County	851.45
To Lewis and Clarke County	3,218.55
To Madison County	2,632.45
To Meagher County.....	2,290.05
To Missoula County	1,644.65
To Park County.....	1,595.90
To Silver Bow County.....	21.55
To Yellowstone County	397.50
Total	<hr/> \$48,012.55

PAID FOR SQUIRRELS AND PRAIRIE DOGS.

To Beaverhead County.....	\$ 509.10
To Choteau County	1,091.00
To Custer County.....	86.30
To Dawson County.....	257.40
To Deer Lodge County.....	224.30
To Fergus County.....	5,087.15
To Gallatin County.....	23,338.70
To Jefferson County.....	818.45
To Lewis and Clarke County.....	3,039.55
To Madison County.....	2,467.45
To Missoula County.....	419.15
To Meagher County.....	2,164.05
To Park County.....	1,535.90
To Silver Bow County.....	21.55
To Yellowstone County.....	
Total.....	\$46,060.05

BOUNTIES FOR BEARS, MOUNTAIN LIONS, WOLVES AND COYOTES.

To Beaverhead County.....	\$ 51.00
To Choteau County	1,480.00
To Custer County.....	886.00
To Deer Lodge County.....	42.00
To Dawson County.....	1,609.50
To Fergus County.....	257.00
To Gallatin County.....	441.00
To Jefferson County.....	33.00
To Lewis and Clarke County.....	179.00
To Madison County.....	165.00
To Meagher county.....	126.00
To Missoula County.....	1,225.50
To Park County.....	60.00
To Yellowstone County.....	397.50
To Silver Bow County.....	
Total.....	\$6,952.50

JAMES SULLIVAN, Auditor

The Joint Session dissolved and the House resumed. On motion of

Blake, the House resolved itself into a Committee of the Whole for the consideration of the Governor's message. Blake in the Chair. House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
August 29th, 1887

Mr. Speaker:

C.J.R. No. 1 providing for extra clerks has passed the Council under suspension of the rules and is herewith transmitted.

Respectfully,

R. L. Davis
Chief Clerk

C.J.R. No. 1, "Providing for extra clerks for Council and House and compensation therefor" was read first and second times and on motion of Mantle, the rules were suspended. The resolution was read a third time and passed by the following vote. Ayes: Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Mr. Speaker. 12. Noes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Holt, Johnson, Wilson. 10. Absent: Harwood, Marshall. 2. Title agreed to.

Mantle presented the following resolution and moved its adoption. Resolved. That the Secretary of the Territory be requested to furnish this House, a certified copy of the law passed at the last session and commonly called the Bounty Law.

Mantle

Toole moved to amend by requiring the Secretary to furnish one copy of all laws of the regular session. On motion of Blake, the further consideration of the amendment and resolution was postponed until 11 A.M. tomorrow.

On motion of Blake, the Chair appointed Messrs. Blake, Mantle and Brown as a special committee to see what progress is being made in the printing of the laws of the last session.

The following communication was received:

Council Chamber
Helena, Montana Territory
August 29th, 1887

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that: Notices of introduction of bills were given as follows: By Collins: A bill for an act to create the office of Commissioner of Emigration and to define his duties; also, a bill for an act to create the County of Cascade, to define its boundaries and provide for its organization. By Rickards: A bill for an act to punish interference with Railroad Tracks.

Respectfully,

R. L. Davis
Chief Clerk

On motion of Holt, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

SECOND DAY

House of Representatives
August 30th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. A full membership present. Journal of yesterday read and approved. The following communication was received:

Helena, Montana Territory
August 30th, 1887

Mr. Speaker and House of Representatives:

Your Honorable Body in electing me to serve as Chaplain, the Honor bestowed comes as a surprise, because it was unasked and unsought. It will be quite impossible however for me to serve with disarraignment of my present plans. Before receiving notice of your action I had made plans to enter at once upon my annual vacation and have been detained in the City to attend the funeral services of a member of my church. As soon therefore as this service has been rendered I will leave the City. I appreciate the honor which you have bestowed upon me and wish for you a harmonious session.

Yours very respectfully,

C. B. Allen, Jr.
Pastor First Baptist Church

On motion of Blake, the resignation was accepted.

The following report was received:

Mr. Speaker: Your Committee of the Whole House, having had under consideration the message of the Governor, have directed me to report the same back to the House with the following recommendations, viz.: That the part thereof, relating to the act for the assessment and levy of taxes, be referred to the Committee on Ways and Means. That the part thereof concerning licenses be referred to a special committee, consisting of five members to be appointed by the Speaker. That the part thereof, relating to the bounty law be referred to the Committee on Towns and Counties. That the part thereof, relating to the insane of the territory, be referred to a special committee consisting of five members to be appointed by the Speaker. That the parts thereof, relating to the wrecking and derailment of trains of railroad cars, and the criminal code, and House Joint Resolution number 9 be referred to the Committee on the Judiciary. That the part thereof relating to the tax upon commercial travelers be referred to the Committee on Ways and Means.

Blake, Chairman

On motion of Page, the report was so amended that all that portion relating to licensing commercial travelers was referred to the Committee on Judiciary and the report as amended was adopted.

The following report was received:

Mr. Speaker: Your special committee appointed to inquire respecting the publication of the laws of the territory, have performed the duty assigned to them and respectfully report as facts, the statements contained in the letter of the Secretary of the Territory, which is herewith

submitted and made a part hereof. Your committee deem it unnecessary to make any recommendations and ask to be discharged.

Blake, Mantle, Brown

Hon. H. N. Blake
Chairman Special Committee
House of Representatives

Dear Sir,

In reply to your inquiry as to what progress has been made in preparing the laws of the last regular session including the compilation adopted by the Legislature, (all of which will be in one volume), I would say that the work is about two-thirds completed and that the printers (The Journal Publishing Company) are now and have been from the first crowding the work to their uttermost capacity. The volume when completed will contain about fourteen hundred pages. In connection with this I would say that there will be ready today, for the use of the Members of the Legislature, one hundred printed copies each of the Revenue, License and Bounty Laws.

Most Respectfully,

Wm. B. Webb
Secretary of Montana

Notices of the introduction of bills were given as follows:

By Buskett: A bill for an act creating the office of Attorney General for Montana Territory. By Alderson: A bill defining the qualification of voters at elections held in incorporated cities and villages. Also, a bill providing for the legal and equitable distribution of water for irrigating purposes. By Marshall: A bill for an act to regulate trials in District Courts in relation to instructions. By Muth: A bill for an act to enable cities of ten thousand and upwards to construct sewers. Also, A bill for an act concerning the office of Police Magistrate in incorporated cities.

Blake, by unanimous consent, introduced H.B. No. 1, "A bill for an act to establish and maintain a hospital for the Insane," under a suspension of the rules. The bill was read first and second times by title and was referred to the special committee to be appointed to take under consideration that portion of the Governor's message relating to the Insane. On motion of Kanouse, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The Chair announced the appointment of the following committee to consider portions of the message of the Governor on that portion relating to Licenses: Mantle, Kanouse, Scobey, Brown and Taylor. On that portion relating to the Insane: Blake, Marshall, Harwood, Hoffman and Page. Mantle gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day introduce a bill for an act to amend Sections 585 and 594 of Chapter 22 of the Fifth Division of the Revised Statutes of the Territory of Montana. Also a bill for an act to amend Section 2 of an act concerning payment of Jurors and Witnesses in Criminal Cases in attendance upon the District Court approved March 8th, 1887.

Also a bill for an act to amend an act relating to Liens of Mechanics and others approved March 9th, 1887.

Mr. Speaker announced the signing of C.J.R. No. 1.

On motion of Holt, the House took a recess for 30 minutes. Resumed.
Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
August 30th, 1887

Mr. Speaker:

I am instructed by the Council to inform your honorable body that notices of introduction of bills was given as follows:

By Holliday: "A bill for an act providing for representation in the Council of the Counties of Park and Fergus." By Hundley: A bill for an act entitled "An act to amend the Fourth Division of the Revised Statutes of Montana entitled Criminal Laws," approved February 16th, 1883. By Sutherlin: "A bill for an act to amend an act to prevent and suppress dissemination of scab and infectious diseases among Sheep," approved March 10th, 1887.

The following concurrent resolution was adopted:

Resolved by the Council, the House concurring.

That all matters relating to Revenue Laws be referred to a joint special committee of three from the Council and from the House. That a like special committee be appointed to consider all matters and bills relating to licenses and that a like special committee be appointed to consider all matters and bills relating to the care of the Insane.

Rickard introduced C.B. No. 1, "A bill for an act to punish interference with railroad tracks."

Respectfully,

R. L. Davis
Chief Clerk

On motion of Holt, the resolution referred to in the foregoing communication was concurred in.

The Chair announced that the special committee appointed by him today and the House Ways and Means Committee would serve as the committees provided for in the resolution.

On motion of Muth, Rev. T. V. Moore was elected Chaplain of the House by acclamation, and the Chair appointed Muth to wait upon the gentlemen and inform him of his election.

The following report was received:

Mr. Speaker: Your Committee of Ways and Means to whom was referred that portion of the Governor's message with reference to Revenue beg leave to report the accompanying bill upon said subject and recommend that it be referred to a Committee of the Whole House.

Kanouse, Chairman

H.B. No. 2, "A bill for an act to provide for the assessment and levy of taxes" was under a suspension of the rules read first and second times by title and referred to the Committee of the Whole.

On motion of Kanouse, the House resolved itself into a Committee of the Whole for the consideration of H.B. No. 2. Muth in the Chair.

House resumed. Mr. Speaker in the Chair.

Mantle, by unanimous consent, introduced H. B. No. 3, "A bill for an act to amend Section 594 of Chapter 22 of the Fifth Division of the Revised Statutes." Read first and second times and referred to the Committee on Judiciary.

The following communication was received:

Council Chamber
Helena, Montana Territory
August 30th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Notices of introduction of bills were given as follows: By Rickards: A bill for an act to amend an act entitled "An act concerning the Storage of Gun Powder." By Collins: A bill to amend Section 908 of the Revised Statutes of Montana relating to selling, destroying, concealing, removing or otherwise disposing of Mortgaged Property.

Mr. President has signed C. J. R. No. 1.

Respectfully,

R. L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H.B. No. 2 and beg leave to report the same back to the House with the recommendation that it be referred to the joint special committee of the House and Council.

Muth, Chairman

On motion of Buskett, the report was adopted.

On motion of Muth, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

THIRD DAY

House of Representatives
August 31st, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of second day read and approved.

Notices of the introduction of bills were given as follows: By Alderson: "A bill for an act authorizing incorporated towns and cities to issue bonds under certain restrictions." By Taylor: "A bill to amend Section 452 of Article 9 of the Fifth Division of the Revised Statutes of Montana." By Hanscomb: "A bill to provide for a Commissioner of Mines." By Kanouse: "A bill to amend an act entitled an act concerning licenses." Also "A bill for an act to amend an act regarding roads and highways."

The following resolutions were presented House Concurrent Resolution referring to adjournment.

Resolved by the House of Representatives of the Territory of Montana the Council concurring.

When the Governor of the Territory of Montana did on the 11th day of July A.D. 1887 issue his proclamation concerning the Fifteenth Legislative Assembly in Extraordinary Session on the 29th day of August and whereas in obedience to said call said Legislature has assembled and received his Excellency's message wherein he recommends the amendment and enactment of certain laws.

Now therefore be it Resolved by the House, the Council concurring, that all matters set forth in said message shall first receive the careful consideration by said Legislative Assembly and that as soon as the same has been completed, together with any other legislation appearing necessary, this Extraordinary Session shall adjourn Sine die and that date be not later than Saturday the 17th day of September 1887.

Resolved by the House and Council concurring that the Extraordinary Session of the Fifteenth Legislative Assembly of Montana do adjourn without date on the 8th day of September A.D. 1887 at 12 m.

Holt

Be it resolved by the Legislative Assembly of the Territory of Montana, that this Legislative Assembly now convened in Extraordinary Session do at 12 o'clock a.m. on the seventh day of September adjourn Sine die.

Toole

On motion of Buskett the foregoing resolutions were referred to a special committee consisting of Page, Holt and Toole.

Bills were introduced as follows: By Marshall: H.B. No. 4, "A bill for an act to regulate trial practice in District Courts relating to instructions." Read first time and second time and referred to the Committee on Judiciary. By Muth: H.B. No. 5, "A bill for an act concerning the office of Police Magistrate in incorporated cities." Read first and second times and referred to the Committee on Towns and Counties. By Buskett: H.B. No. 6, "A bill for an act to create the office of Attorney General of Montana Territory." Read first and second times and referred to the Committee on Judiciary. By Alderson: H.B. No. 7, "A bill for an act concerning

the qualifications of voters in towns and cities." Read first and second times and referred to the Committee on Towns and Counties.

On motion of Holt, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The following communication was received:

Council Chambers
Helena, Montana Territory
August 31st, 1887

Mr. Speaker:

I am directed by Council to inform your honorable body that:

C.J.R. No. 1, relating to extra clerks and compensation therefore, has been signed by the Governor and in conformity therewith Mr. President appointed Guy X. Picett, Mary Galbraith and A.C. Van Doren Assistant Clerks.

C.J.R. No. 1 relating to employment of additional clerks and their compensation has been signed by the Governor; Bills were introduced as follows: By Halliday: C.B. No. 2, "An act to apportion members of the legislative council to the Counties of Meagher, Fergus, Gallatin and Park." By Collins: C.B. No. 3, "A bill for an act to create the county of Cascade to define its boundaries and to provide for its organization." By Hundley: C.B. No. 4, "An act to amend the Fourth Division of the Revised Statutes of Montana entitled Criminal Laws," approved February 16th, 1880.

In conformity with C. C. R. concerning the Governor's message, the same was referred to joint special committees as follows: All matters pertaining to Revenue to Pardee, Collins and Halliday. All matters relating to licenses to Kennedy, Rickards and Hundley. All matters and bills relating to care of insane to Sutherlin, Burleigh and Cardwell.

Respectfully,

R. L. Davis
Chief Clerk

Mr. Speaker announced the appointment of the following extra clerks provided for under C. J. R. No. 1.

For Clerk of the Committee of Ways and Means, Henry Miles.

For Clerk of the Judiciary Committee, Don Davenport.

For Assistant Chief Clerk, C. R. Craig.

The following report was received:

Mr. Speaker: Your Committee on Towns and Counties to whom was referred H.B. No. 5 beg leave to report that they have considered the same and recommend that the bill with the accompanying amendments do pass.

J. F. Taylor,
Chairman

On motion of Blake, the amendments affixed by the committee were adopted and the bill was placed on the general orders.

The following report was received:

Mr. Speaker: Your committee appointed to decide upon a day for the adjournment of this Legislative Assembly recommend that on the Eighth day of Sept. A.D. 1887 this Legislative Assembly do adjourn Sine die.

Toole, Holt, Page

Toole moved to adopt the resolution of Holt fixing the day of adjournment on the 8th day of September 1887. Mantle moved to amend by inserting the 10th day of September. The amendment prevailed by the following vote: Ayes: Alderson, Brown, Buskett, Gorham, Hanscomb, Hoffman, Mantle, Muth, Page, Taylor, Thompson, Wilson. 12. Noes: Blake, Harwood, Holt, Johnson, Kanouse, Scobey, Spaulding, Titman, Toole, Mr. Speaker. 10. Absent: Marshall, White. 2.

The resolution as amended was adopted by the following vote: Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, Wilson, Mr. Speaker. 22. Noes: None. Absent: Marshall, White. 2.

The House resolved itself into a Committee of the Whole for the consideration of H.B. No. 5. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

Harwood introduced H.J.R. No. 1 to provide for certain printing. Read first and second times and on motion of Mantle the rules were suspended. The resolution was read a third time by title and passed by the following vote: Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, Wilson, Mr. Speaker. 21. Noes: Buskett. 1. Absent: Marshall, White. 2. Title agreed to.

The following report was received:

Mr. Speaker: Your Committee of the Whole having had under consideration H.B. No. 5 have directed me to report the same back with a recommendation that it do pass.

Scobey,
Chairman

H.B. No. 5 was ordered engrossed. Kanouse introduced H.B. No. 8, "A bill for an act to amend an act concerning Licenses" approved March 10th, 1887, which was read first and second times and ordered printed.

On motion of Holt, the House adjourned until 10 o'clock a.m. tomorrow.

David Marks
Chief Clerk

FOURTH DAY

House of Representatives
September 1st, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of third day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Towns and Counties to whom was referred H.B. No. 7 beg leave to report that they have considered the same and respectfully report the bill back to the House and recommend that it do pass.

Taylor, Chairman

Mr. Speaker: We, your Committee on Judiciary to whom was referred H.B. No. 4, have had same under consideration and herewith report it back with the recommendation that it do pass.

Marshall, Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 5 beg leave to report the same back correctly engrossed.

Spaulding, Chairman

H. B. Nos. 4 and 7 were placed upon general orders.

The following communication was received:

Council Chamber
Helena, Montana Territory
August 31st, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Rickards introduced C.B. No. 5, "A bill for an act to amend an act entitled an act concerning the storage of gun powder".

H.C.R. That the Extraordinary Session of the Fifteenth Legislative Assembly of Montana do adjourn without date on the 10th day of September A.D. 1887 at 12 M. was lost in the Council. H.J.R. No. 1 was lost in the Council and the same is herewith transmitted.

Respectfully,

R. L. Davis
Chief Clerk

Notices of the introduction of bills were given as follows: By Marshall: "A bill for an act to provide for the condemnation of lands for railroad purposes." By Holt: "A bill to provide for the payment of stock killed by operating railroads."

Mantle introduced H.B. No. 9, "A bill for an act to amend an act relating to liens of mechanics and others," approved March 9th, 1887. Read first and second times and referred to the Committee on Education and Labor.

H.B. No. 5 was read a third time and passed by the following vote. Ayes:

Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. Noes: None. Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Page in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 1st, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Sutherlin gave notice of introduction of "A bill for an act to protect the breeders of live stock in the Territory of Montana." Burleigh introduced C.B. No. 6, "A bill for an act to repeal an act relating to bounty for killing certain animals" approved March 8th, 1883, approved March 5th, 1887.

Collins offered the following concurrent resolution, which was approved by the Council:

Resolved, by the Council, the House concurring, that from and after Saturday, September 3rd, 1887 at 10 o'clock a.m. no bill shall be introduced in either house unless it is first read at length. Three objections shall after the reading reject the bill.

Respectfully,

R. L. Davis
Chief Clerk

On motion of Holt, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The question coming up upon the adoption of C.C.R. in reference to the introduction of bills, Mantle moved to amend by making the date Tuesday, September 6th, 1887. Marshall offered an amendment to the amendment that the date be fixed at 12 M. on the last day of the session. On the motion of Alderson the motion was laid upon the table.

The following communication was received:

Mr. Speaker: The Committee of the Whole have had under consideration H.B. No. 4, "A bill for an act to regulate trial practice in District Courts in relation to exceptions and instructions" and herewith report the same back with recommendation that it do pass.

The committee have also had under consideration H.B. No. 7, "A bill for an act concerning the qualification of voters in towns and cities" and herewith report the same back with recommendation that it do pass.

Page, Chairman

H.B. Nos. 4 and 7 were ordered engrossed.

Mantle gave notice as follows:

Mr. Speaker: I hereby give notice that I will introduce a bill for an act to amend an act relating to the formation of municipal corporations approved March 10th, 1887.

The following report was received:

Mr. Speaker: The Committee on Judiciary have had under consideration H.B. No. 3, "A bill for an act to amend Section 594, Chapter 22, Fifth Division of the Revised Statutes" and H.B. No. 6, "An act to create the office of Attorney General of Montana Territory" and herewith report the same back with the accompanying amendments and recommend as recommended that they do pass.

Marshall, Chairman

H.B. Nos. 3 and 6 were placed upon the general orders.

On motion of Alderson, the House took a recess for 30 minutes. Resumed.

The following message was received from the Governor:

The Territory of Montana
Governor's Office
Helena, Montana
September 1st, 1887

Gentlemen of the Legislature and House of Representatives:

Arrangements have been made and are in process of completion for a great celebration on the 15th, 16th and 17th days of September 1887, in the city of Philadelphia and State of Pennsylvania in commemoration of the Centennial Anniversary of the framing and promulgation of the Constitution of the United States, and the proper committees in charge of the enterprise of that city have made a cordial invitation to the people of Montana and urged that their Governor and such others as they shall direct be present and participate in the ceremonies at that occasion, and have also urged that the militia of the territory be represented, uniformed and equipped at the celebration in order that it may take part in the grand parade of the military and naval forces of the United States and the military forces of the several states and territories.

It is my pleasure to lay this subject before your honorable body, and solicit your prompt and favorable consideration thereof.

It is a matter of public notoriety that almost every state and territory in the Union (if not all) has made provision for the appointment and attendance of representatives to be present at the national meeting in their behalf, and many of them have made liberal provision for their militia to be there in full uniform and equipment for participation in the ceremonies which will be the most imposing and grand of the occasion.

This meeting is intended to be one which in grandeur, dignity and instructive force will equal any one ever assembled on the American Continent, and that its lessons of love and patriotism shall warm afresh the hearts of American freemen and awaken reverence amongst the people for the Supreme Charter of their liberties.

I regret that circumstances and that the force of official duty will prevent my personal attendance and sharing in the honor and pleasures of that great Centennial gathering.

I recommend that you make such provision for the representation of this territory in that celebration as your judgement shall dictate is proper and is due from its people.

Respectfully,
P. H. Leslie

On motion of Marshall, the message was made a special order for 3 p.m. tomorrow.

Scobey moved to adjourn. Motion lost.

On motion of Scobey, the House took a recess until 7:30 p.m.

7:30 P.M.

Resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

Toole, by unanimous consent and without giving previous notice, introduced H.B. No. 10, "An act to apportion members of the House of Representatives of the Territory of Montana." Read first and second times and referred to the Committee on Territorial Affairs.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker. Your Committee of the Whole House to whom was referred H.B. No. 3 have considered the same and recommend that the amendment therewith be adopted and that as so amended it do pass.

Your Committee of the Whole House have also had under consideration H.B. No. 6, "An act to create the office of Attorney General" and herewith report the same with amendments which they recommend be adopted and that as so amended the bill do pass.

Kanouse, Chairman

On motion of Scobey, the amendments to H.B. No. 3 were adopted and the bill was ordered engrossed.

On motion of Brown, the amendments to H.B. No. 6 were adopted and the bill was ordered engrossed.

On motion of White, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

FIFTH DAY

House of Representatives
September 2nd, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Prayer by the Chaplain. Journal of fourth day read and approved.

On motion of Spaulding, Marshall was excused for the day.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 1st, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: A communication from the Governor addressed to the Council and House of Representatives in relation to a celebration of the Centennial anniversary of the framing and promulgation of the Constitution of the United States to be held at Philadelphia, Pennsylvania, on September 15th, 16th and 17th, 1887 was received and referred to a special committee consisting of Rickards, Kennedy and Hundley.

Sutherlin introduced C.B. No. 7, "A bill for an act concerning appeals." Also concerning instructions. Also concerning new trials.

Petitions of 938 citizens of Choteau, Lewis and Clarke and Meagher Counties for the creation of Cascade County were received.

Respectfully,

R. L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.B. Nos. 4 and 7, beg leave to report the same back correctly engrossed.

Spaulding, Chairman

On motion of Kanouse, Messrs. Harwood and Page were added to the Joint Committee on Revenue matters.

On motion of Scobey, H.B. No. 8 was recalled from the Committee on Printing and was placed upon the general orders.

Notices of the introduction of bills given as follows: By White: "A bill concerning the School Text Book Commission." By Muth: "A bill to amend an act relating to marriage" approved March 9th, 1887.

Bills were introduced as follows: By Marshall: H.B. No. 11, "A bill for an act to provide for the condemnations of lands for railroad purposes." By Muth: H.B. No. 12, "A bill for an act to enable certain cities to incur indebtedness." By Mantle: H.B. No. 13, "A bill for an act to amend an act relating to the formation of Municipal corporations" approved March 10th, 1887.

On motion of Brown, the Chair appointed Messrs. Brown, Buskett and Thompson as a Committee on Mileage.

H.B. No. 11 was read first and second times and referred to the Committee on Corporations. H.B. Nos. 12 and 13 were read first and second times and referred to the Committee on Towns and Counties.

H.B. No. 4 was read a third time and passed by the following vote: Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Holt, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 21 (sic) Noes: None. Absent: Buskett, Marshall, Muth. 3. Title agreed to.

Page moved that further consideration of H.B. No. 7 be postponed until 2 p.m. Monday next. Motion lost.

H.B. No. 7 was read a third time and passed by the following vote: Ayes: Alderson, Blake, Buskett, Gorham, Hoffman, Holt, Mantle, Muth, Scobey, Spaulding, Taylor, White, Wilson. 13. Noes: Brown, Hanscomb, Harwood, Kanouse, Page, Thompson, Titman, Toole, Mr. Speaker. 9.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 2nd, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The concurrent resolution, a copy of which is herewith transmitted, was adopted by the Council.

Respectfully,

R. L. Davis
Chief Clerk

The following is the resolution referred to in the foregoing communication.

Be it resolved by the Legislative Assembly of the Territory of Montana

Whereas: at the last session of the Legislature ample appropriation was made for printing the laws of the territory upon the assurance of the Secretary of this territory that such laws could and should be printed by July 1st, 1887, and nearly six months having passed since the adjournment of the last session without the laws having been printed and it being understood that it will still be a considerable time before the laws are printed, and the public interests as well as the convenience of this Legislature suffering from the delay:

Be it resolved: the House concurring, that a committee of five members, two from the Council and three from the House, be appointed to investigate the matter of the printing of the laws and to ascertain what causes have occasioned the long delay, and who if any body is responsible therefore and to recommend to the Legislature such action as may be appropriate:

That such committee have power to send for persons and papers, administer oaths and examine witnesses.

On motion of Scobey the resolution was adopted and the Chair in accordance therewith appointed Messrs. Harwood, Kanouse and Toole on the part of the House.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Muth in the Chair.

On motion of Holt, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present.

The House again resolved itself into a Committee of the Whole for the further consideration of general orders. Muth in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 2nd, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Notices of introduction of bills were given as follows: By Hundley: "A bill for an act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda waters, mineral waters, porter, ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages." By Kennedy: "A bill for an act to amend an act entitled an act concerning marriages" approved March 9th, 1887.

Bills were introduced as follows: By Sutherlin: C.B. No. 8, "A bill for an act to amend an act entitled an act to prevent and suppress the dissemination of scab and infectious diseases among sheep" approved March 10th, 1887. By Collins: C.B. No. 9, "A bill for an act creating the office of Commissioner of Emigration." By Kennedy: "A bill for an act amending an act entitled an act concerning marriages" approved March 9th, 1887.

C.B. Nos. 1, 2 and 3 have passed the Council and the same are herewith transmitted.

C.B. No. 7 was laid on the table.

Mr. President appointed Burleigh and Collins members on the part of the Council of the committee created by the concurrent Resolution this day adopted by the Council and House.

Respectfully,

R. L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 3 and H.B. No. 6 beg leave to report the same back correctly engrossed.

Spaulding, Chairman

The hour having arrived for which the Governor's message was made a special order. On motion of Blake, the message was referred to a special committee consisting of Messrs. Blake, Johnson, Spaulding, Buskett and Alderson to act in conjunction with a like committee that has been appointed by the Council.

Thompson was granted leave of absence until Monday next.

On motion of Scobey, Holt was granted an indefinite leave of absence.

The House resolved itself into a Committee of the Whole for the further consideration of H.B. No. 8. Muth in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Muth, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

SIXTH DAY

House of Representatives
September 3rd, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll Called. Quorum present. Absent on leave — Holt and Thompson. Prayer by the Chaplain. Journal of fifth day read and approved. Messrs. Kanouse, Spaulding and Titman were excused for the day.

The following reports were received:

Mr. Speaker: Your Committee on Towns and Counties to whom was referred H.B. No. 13, "An act to amend an act relative to the formation of Municipal Corporations" beg leave to report the same back with the recommendation that it do pass.

Taylor, Chairman

Mr. Speaker: Your Committee on Towns and Counties acting with a like committee of the Council to whom was referred the law commonly called the "Bounty Law" have considered the same and beg leave to report that a majority of the joint committee recommend the passage of the accompanying bill.

Taylor, Chairman

H.B. No. 13 was placed on the general orders.

On motion the report of the Committee on Towns and Counties relative to bounty with the bill submitted therewith were placed on the general orders.

The following report was received:

House of Representatives
Montana Legislature
September 3rd, 1887

Mr. Speaker: Your Select Committee on Mileage, appointed to ascertain the number of miles necessarily traveled by members of the House of Representatives of the Fifteenth Legislative Assembly in reaching the seat of government in Montana and returning to their homes, have discharged their duties assigned to them beg to report as follows.

Names of Members	No. Miles
Alderson	200
Armstrong	200
Blake	408
Brown	350
Buskett	
Gorham	170
Hanscomb	211
Hoffman	200

Holt	770
Harwood	476
Johnson	770
Kanouse	70
Mantle	206
Marshall	258
Muth	
Page	374
Scobey	1058
Spaulding	254
Taylor	240
Thompson	206
Titman	90
Toole	182
White	166
Wilson	120

Respectfully submitted,
Brown
Buskett

On motion of Muth, the report was adopted and the committee was discharged.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H.B. No. 8 and report same back with accompanying amendments and the recommendation that as amended it do pass.

Respectfully submitted,
Muth, Chairman

Further amendments to the bill were made by Page and Mantle which together with the report of the Committee of the Whole were adopted and H.B. No. 8 was ordered engrossed. C.B. No. 1, "An act to punish interference with railroad tracks" was read first and second times and referred to the Committee on Judiciary.

C.B. No. 2, "An act to apportion members of the Legislative Council to the Counties of Meagher, Fergus, Gallatin and Park" was read first and second times and referred to the Committee on Towns and Counties.

C.B. No. 3, "A bill for an act to create the County of Cascade, to define its boundaries and to provide for its organization" was, under a suspension of the rules, read first and second times by title and referred to a special committee consisting of the members of Lewis and Clarke, Meagher and Choteau.

Bills were introduced as follows: By Taylor: H.B. No. 14, "A bill for an act concerning the terms of County Assessors." By White: H.B. No. 15, "A bill for an act concerning the School Text Book Commission." By Hanscomb: H.B. No. 16, "A bill for an act to establish the office of Com-

missioner of Mines." By Mantle: H.B. No. 17, "A bill for an act to amend an act to prevent the sale of intoxicants in Variety Theatres" approved February 18th, 1887. By Mantle: H.B. No. 18, "A bill for an act to amend an act to regulate gambling" approved March 9th, 1887.

H.B. No. 14 was read first and second times and referred to Committee on Elections.

H.B. Nos. 15, 17 and 18 were read first and second times and referred to Committee on Education and Labor.

H.B. No. 16 was read first and second times and referred to the Committee on Mines and Minerals.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 3rd, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Holliday (by consent) introduced C.B. No. 11, "A bill for an act to provide for transferring certain records from Gallatin County to Park County."

Hundley introduced C.B. No. 12, "A bill for an act to protect the owners of bottles, boxes, syphons and kegs used in the sale of soda water, mineral water or curated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages."

C.B. Nos. 4 and 5 have passed the Council and the same are herewith transmitted.

Respectfully,

R. L. Davis
Chief Clerk

H.B. No. 3 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Marshall, Muth, Page, Scobey, Toole, White, Wilson, Mr. Speaker. 16. Noes: None. Absent: Kanouse, Buskett, Mantle, Spaulding, Taylor, Thompson, Titman. 8. Title agreed to.

H.B. No. 6 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Mantle, Marshall, Muth, Taylor, White, Wilson, Mr. Speaker. 16. Noes: Page, Scobey, Toole. 3. Absent: Holt, Kanouse, Spaulding, Thompson, Titman. 5. Title agreed to.

On motion of Buskett, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt, Kanouse, Spaulding, Thompson, Titman.

Page moved that H.B. No. 1 be recalled from the special committee on matters relating to Insane. Motion lost.

Harwood gave notice as follows:

Mr. Speaker: I hereby give notice that I will on Monday, September 5th, 1887 or some subsequent day of the session introduce a bill to amend Section One (1) of an act entitled an act to create the county of

Yellowstone and for the election of officers thereof approved February 26th, 1883.

Harwood

The House resolved itself into a Committee of the Whole for the consideration of general orders. Toole in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Blake, the House again resolved itself into a Committee of the Whole for the further consideration of general orders. Page in the Chair.

House resumed. Mr. Speaker in the Chair.

Notice was given as follows:

Mr. Speaker: I hereby give notice that I will on Monday next or some future day of the session introduce a bill to prevent running cattle or horses with dogs.

Taylor

Mr. Speaker: I hereby give notice that I will on Monday or some subsequent day of the term introduce a bill to amend an act requiring the publication of certain matters.

Marshall

The following communication was received:

Council Chamber
Helena, Montana Territory
September 3rd, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Kennedy gave notice of introduction of a bill to amend an act entitled, "An act relating to assessment and levy of taxes" approved March 10th, 1887.

Bills were introduced as follows: By Collins: C.B. No. 13, "An act concerning instructions to Juries." Also C.B. No. 14, "A bill for an act concerning new trials." Also C.B. No. 15 for an act concerning appeals. By Burleigh by consent: C.B. No. 16, "A bill for an act relating to motion for new trials." Also C.B. No. 17, "A bill for an act to amend an act authorizing the appointments of stenographers by the district courts" approved March 10th, 1887. By Waters (by consent): C.B. No. 18, "A bill for an act to further define the boundaries of Yellowstone County."

Respectfully,

R. L. Davis
Chief Clerk

Petitions concerning division of Choteau County were received and referred to special committee.

On motion of Scobey, the House adjourned until Monday at 10 a.m.

David Marks
Chief Clerk

EIGHTH DAY

House of Representatives
September 5th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave, Holt. Prayer by the Chaplain. Journal of the sixth day read and approved.

Petitions and telegrams praying for the creation of Cascade County were read and referred to the special committee to which the bill in reference to the subject was referred.

The following reports were received:

Mr. Speaker: Your committee to whom was referred H.B. No. 14 entitled an act concerning the terms of office of County Assessor having considered the same, beg leave to report it back with the recommendation that it do pass.

Brown, Chairman

Mr. Speaker: Your Committee on Territorial Affairs have had under consideration H.B. No. 10 and ask leave to report the same back without recommendation.

Toole, Chairman

Mr. Speaker: Your Committee on Education and Labor have had under consideration H.B. No. 9 and beg leave to report the same back with accompanying amendment and as amended recommend that it do pass.

Hanscomb, Chairman

Mr. Speaker: Your Committee on Engrossment have carefully examined H.B. No. 8 and beg leave to report the same correctly engrossed.

C.R.A. Scobey,
Chairman Pro Tem

H.B. Nos. 9, 10 and 14 were placed upon general orders.

The following report was received:

Mr. Speaker: Your Committee of the Whole have had under consideration H.B. No. 13 and ask leave to report the same back with the following amendments:

Amend lines 15 and 16, Subdivision 9, Section 11 so to read Three percentum instead of Two percentum. Also line 19, same section, so as to read Three percentum instead of One and half percentum and recommend that as so amended the bill do pass.

Toole, Chairman

On motion of Toole, the amendments were adopted and the bill was ordered engrossed.

The following report was received:

Mr. Speaker: The Committee of the Whole have had under consideration a bill for an act to amend an act concerning the bounty for killing certain wild animals and report the same back herewith with amendments and as amended recommend that the bill do pass.

Page, Chairman

On motion of Page, the bill as amended was adopted as H.B. No. 19. The rules were suspended and the same was ordered engrossed.

C.B. No. 4, "A bill for an act to define disturbance of the peace" was read first and second times and referred to the Committee on Judiciary.

C.B. No. 5, "A bill for an act to amend an act relating to the storage of Gun Powder" approved March 21st, 1883 was read first and second times and referred to the Committee on Territorial Affairs.

Marshall introduced H.B. No. 20, "An act to amend an act entitled an act requiring the publication of certain matters," read first and second times and referred to the Committee on Printing.

Kanouse was excused for the day on account of sickness.

By unanimous consent, Toole and Marshall each amended H.B. No. 8 before its being placed upon its final passage. The bill was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Mantle, Marshall, Muth, Page, Scobey, Taylor, Thompson, Toole, White, Mr. Speaker. 19. Noes: None. Absent: Holt, Kanouse, Spaulding, Titman, Wilson. 5. Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Marshall in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Buskett, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

NINTH DAY

House of Representatives
September 6th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Absent: Spaulding. Prayer by the Chaplain. Journal of eighth Day read and approved. Petitions praying against the creation of Cascade County were read and referred.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 5th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Sutherlin gave notice of introduction of "A bill for an act to amend an act entitled an act to encourage tree planting and arboriculture in Montana" approved February 28th, 1887.

Respectfully,

R. L. Davis
Chief Clerk

The following reports were received:

Mr. Speaker: Your Committee on Engrossment have carefully examined H.B. No. 13 and H.B. No. 19 and beg leave to report them correctly engrossed.

C.R.A. Scobey,
Chairman Pro Tem

Mr. Speaker: Your Committee on Incorporations to whom was referred H.B. No. 11 beg leave to return same with the accompanying amendments.

Muth, Chairman

Mr. Speaker: Your Committee on Printing to whom was referred H.B. No. 20 beg leave to report the same back with the recommendation that it do pass.

Mantle, Chairman

Mr. Speaker: Your Committee on Judiciary to whom was referred C.B. No. 4, "A bill for an act to define disturbances of the peace" respectfully report that they have had same under consideration and report back with the recommendation that it do not pass. Also C.B. No. 1, "A bill for an act to punish interference with railroad tracks" and report the same back with the recommendation that it do pass. And would introduce the accompanying bill entitled, "An act appropriating money to aid in the codification of the laws of Montana Territory."

Marshall, Chairman

On motion of Marshall, the amendments offered by the Committee on Incorporations C.B. No. 11 were adopted and the bill was placed upon the general orders. C.B. Nos. 1 and 4 and H.B. No. 20 were placed upon the general orders.

Notices of the introduction of bills were given as follows: By Buskett: A bill to provide for a Territorial Penitentiary. By Mantle: A bill for an act to regulate the registration of voters.

Bills were introduced as follows: By Judiciary Committee: H.B. No. 21, "An act appropriating money to aid in the codification of the laws of the Territory of Montana." By Taylor: H.B. No. 22, "A bill to prevent running cattle and horses by dogs." By the Committee on Grazing and Stock Growing: H.B. No. 23, "An act to amend Section 285 of the fourth division of the compiled statutes of Montana." By Muth: H.B. No. 25, "A bill for an act to amend Sections 71, 77, 80 and 81 of the fifth division of the compiled statutes Montana increasing the salaries and bonds of the Territorial Auditor and Treasurer" approved March 5th, 1887. By Marshall: H.B. No. 26, "An act authorizing the appointment of Deputy Clerks and Recorders in Mining Districts." By Mantle: H.B. No. 27, "A bill for an act to amend an act concerning roads and highways" approved March 9th, 1887. By Mantle: H.B. No. 28, "A bill for an act entitled an act relating to the registration and qualifications of voters."

Blake moved that H.B. No. 1 be recalled from the special committee to which it was referred and be placed upon the general orders. The motion was lost by the following vote. Ayes: Blake, Harwood, Kanouse, Muth, Page, Scobey, Titman. 7. Noes: Alderson, Brown, Buskett, Gorham, Hanscomb, Hoffman, Johnson, Mantle, Marshall, Taylor, Thompson, Toole, White, Wilson. 14. Absent: Holt, Spaulding, Mr. Speaker. 3.

H.B. Nos. 21, 23 and 24 were read first and second times. The rules were suspended and they were placed upon general orders.

H.B. No. 22 was read first and second times and referred to the Committee on Grazing and Stock Growing. H.B. No. 25 was read first and second times and on motion of Muth was referred to a special committee consisting of Muth, Toole and Mantle.

H.B. No. 26 was read first and second times and referred to the Committee on Towns and Counties.

H.B. No. 27 was read first and second times and referred to Committee on Roads and Highways.

On motion of Blake, the rules were suspended. H.B. No. 28 was read first and second times by title and referred to the Committee on Elections.

H.B. No. 13 under a suspension of the rules was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 21. Noes: Harwood. 1. Absent: Holt, Spaulding. 2. Title agreed to.

H.B. No. 19 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Kanouse, Mantle, Marshall, Page, Taylor, Thompson, Titman, Mr. Speaker. 15. Noes: Johnson, Muth, Scobey, Toole, White, Wilson. 6. Absent: Buskett, Holt, Spaulding. 3. Title agreed to.

On motion of Muth, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Absent: Spaulding.

The House resolved itself into a Committee of the Whole for the consideration of general orders. White in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 6th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Sutherlin gave notice of introduction of "A bill for an act to regulate appeals from Probate and Justice Courts." Sutherlin introduced C.B. No. 19, "A bill for an act to amend an act entitled an act to encourage tree planting and arboriculture in Montana" approved February 28th, 1887.

C.B. No. 8 was lost in the Council.

R. L. Davis
Chief Clerk

On motion of Alderson, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TENTH DAY

House of Representatives
September 7th, 1887

House met pursuant to adjournment at 10 a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Prayer by the Chaplain. Journal of the ninth day read and approved. On motion of Marshall, Spaulding was excused for absence of yesterday's session.

The following reports were received:

Mr. Speaker: Your Committee on Mines and Minerals have had under consideration H.B. No. 16, "For the establishment of a Commissioner of Mines" and herewith return the same with the recommendation that it do not pass.

Buskett, Chairman

Mr. Speaker: The Committee on Towns and Counties having had H.B. No. 12 under consideration recommend that the same do pass.

The same committee having had under consideration C.B. No. 2 report same back with recommendation that it do pass.

Taylor, Chairman

Mr. Speaker: A majority of your Committee on Education and Labor to whom was referred H.B. No. 17 beg leave to report the same back to the House and recommend that it do not pass.

C.W. Hanscomb, Chairman
M.W. White
Thos. L. Gorham

Mr. Speaker: Your Committee on Education and Labor to whom was referred H.B. No. 17, "A bill for an act to repeal an act to prevent the sale of Intoxicants in Variety Theatres and other places" beg leave to submit the following report.

We recommend that the bill do pass for the reason that the law in question has failed of enforcement.

The reasons for this failure seem to be, first, that the act itself although general in its face is in effect both local and specific and besides is discriminative in its character. Added to this there does not seem to be enough of public sentiment behind the law to prompt and secure its enactment and hence it remains nearly a dead letter upon our Statutes.

In addition to the above reasons this body has incorporated a section in the License Law just passed which provides fully for the taxing of the business which the law in question designs to prohibit.

Alderson

Mr. Speaker: Your Committee on Education and Labor to whom was referred H.B. Nos. 15 and 18 beg leave to report the same back to the House and recommend that they do pass.

Hanscomb, Chairman

Mr. Speaker: Your Committee on Territorial Affairs have had under consideration C.B. No. 5 and ask leave to report the same back with the recommendation that it do pass.

Toole, Chairman

H.B. Nos. 12, 17, 15, 16, 18 and C.B. Nos. 2 and 5 were placed on general orders. The following reports were received:

Mr. Speaker: Your Committee of the Whole having had under consideration H.B. No. 10, "An act to apportion the members of the House of Representatives of the Territory of Montana" herewith report the same back with a recommendation that it do pass.

Marshall, Chairman

Mr. Speaker: The Committee of the Whole House have had under consideration H.B. Nos. 20, 21, 23 and 24, and direct me to report the same back to the House and recommend that they do pass. Also H.B. Nos. 9 and 11 and recommend that they do pass as amended. Also C.B. No. 1 and recommend that it do pass as amended. And C.B. No. 4 and recommend that it do pass as amended.

White, Chairman

H.B. Nos. 10, 20, 21, 23 and 24 were ordered engrossed.

On motion of Blake, the amendments offered to H.B. Nos. 9, 11 and 14 were adopted and they were ordered engrossed.

Blake moved to adopt the amendments offered by the Committee of the Whole to C.B. No. 1. Motion lost.

The following report was received:

Mr. Speaker: Your special committee to whom was referred H.B. No. 25 beg leave to report with the recommendation that the bill do pass.

Muth, Toole, Mantle

H.B. No. 25 was placed upon the general orders.

Bills were introduced as follows: By Buskett: H.B. No. 29, "An act to provide for a Territorial Penitentiary." Read first and second times and referred to Committee on Internal Improvements. By Alderson: H.B. No. 30, "A bill for an act concerning irrigation and water rights." Read first and second times and referred to Committee on Agriculture and Manufacturers. By Muth: H.B. No. 31, "A bill for an act to provide for Deputy County Treasurers and to fix their compensation" approved February 18th, 1887. Read first and second times and referred to Committee on Towns and Counties.

C.B. No. 1 was read third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 23. Noes: None. Absent: Holt. 1.

C.B. No. 4 was read a third time and passed by the following vote. Ayes: Alderson, Brown, Buskett, Gorham, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 19. Noes: Blake, Hanscomb, Page, Spaulding. 4. Absent: Holt. Title agreed to.

House resolved itself into a Committee of the Whole for the consideration of general orders. Marshall in the Chair.

House resumed. Mr. Speaker in the Chair.

On motion of Scobey, House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 7th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that, Kennedy gave notice of introduction of a bill creating the office of District Attorney and prescribing the duties thereof. Sutherlin introduced C.B. No. 20, "A bill for an act to regulate appeals from Probate Courts."

H.B. No. 7 as amended has passed the Council and the same is herewith transmitted.

R. L. Davis
Chief Clerk

On motion of Blake, Council Amendments to H.B. No. 7 were concurred in by the House by the following vote. Ayes: Alderson, Blake, Gorham, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Taylor, Titman, White, Wilson. 15. Noes: Brown, Buskett, Hanscomb, Harwood, Page, Thompson, Toole, Mr. Speaker. 8. Absent: Holt. 1.

The following report was received:

Mr. Speaker: Your joint committee upon the subject of a Revenue Law, having considered the same, beg leave to report the bill upon said subject herewith accompanying as a substitute for H.B. No. 2 which they recommend be adopted and that it do pass.

W. A. Burleigh
S. L. Holliday
of Committee on part
of the Council

Kanouse, Page, Alderson,
Buskett, Mantle, Harwood
of Committee on part
of the House

On motion of Blake, substitute to H.B. No. 2 was adopted. On motion of Kanouse, the rules were suspended and the House proceeded to consider substitute to H.B. No. 2. On motion of Page, the House resolved itself into a Committee of the Whole for the consideration of H.B. No. 2. Muth in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 10 and H.B. No. 14 beg leave to report the same back correctly engrossed.

Spaulding, Chairman

On motion of Brown, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

ELEVENTH DAY

House of Representatives
September 8th, 1887

House met pursuant to adjournment at 10 a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Prayer by the Chaplain. Journal of tenth day read and approved.

An indefinite leave of absence was granted the Chaplain.

The following reports were received:

Mr. Speaker: Your Committee on Internal Improvements to whom was referred H.B. No. 29 have considered the same and direct me to report it back with the recommendation that it do not pass.

C.R.A. Scobey, Chairman

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. Nos. 9, 20 and 21 beg leave to report the same back correctly engrossed.

Spaulding, Chairman

H.B. No. 29 was placed upon the general orders.

The following reports were received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H.B. No. 2 and beg leave to report the accompanying amendments and as amended recommend that it do pass.

Muth, Chairman

Mr. Speaker: Your Committee of the Whole House have had under consideration H.B. No. 12, "A bill for an act to enable certain cities to incur indebtedness" and herewith report the same back with the recommendation that it do pass. And have also had under consideration H.B. No. 17, "A bill for an act to repeal an act to prevent the sale of intoxicants in Variety Theatres" approved February 18, 1887 and herewith report the same back without recommendation.

And have also had under consideration H.B. No. 16, "A bill for an act to establish the office of Commissioner of Mines" and herewith report the same back to the House with the accompanying amendments and as amended make no recommendation.

Marshall, Chairman

The amendments to H.B. No. 2 were adopted.

On motion of Muth, the rules were suspended, the bill considered engrossed and placed on the Calendar for third reading.

H.B. Nos. 12 and 17 were ordered engrossed.

On motion of Toole, H.B. No. 16 was laid upon the table.

The following reports were received:

Mr. Speaker: A majority of your special committee composed of the members from Choteau, Lewis and Clarke, and Meagher Counties to whom was referred C.B. No. 3, "A bill for an act to create the county

of Cascade, to define its boundaries, and to provide for its organization" respectfully recommend that it do pass with amendments accompanying this report.

J.F. Taylor, Thos. L. Gorham
Jacob Titman, Kanouse

Minority report of special committee on Cascade Co. bill:

Mr. Speaker: We, a minority of your special committee to whom was referred the matter of the bill creating the County of Cascade, beg leave to submit the following report.

In view of the strenuous opposition manifested by the residents of Choteau and Lewis and Clarke Counties and of the inexpediency of passing such measures in the hurry and press of business of this Extraordinary Session of the Legislature, called together for a special purpose, and in which time cannot be had for a thorough consideration of the question involved, and further, in view of the fact that the bill, as at present constituted, is a practical construction of a County for the interest of a law against the many, and that no provision is made for assuming any of the burdens of debt of Lewis and Clarke County, we beg leave to submit a minority report and recommend that the bill do not pass.

J.W. Buskett, Wm. Muth

On motion of Muth, C.B. No. 3 and amendments was placed upon the general orders.

The following report was received:

Mr. Speaker: Your Committee on Enrollment to whom was referred H.B. No. 7 beg leave to report the same correctly enrolled, and present the same herewith for your signature.

Hoffman, Chairman

Mr. Speaker announced the signing of H.B. No. 7.

On motion of Mantle, the rules were suspended and H.B. No. 17 was considered engrossed and placed upon the calendar for third reading.

H.B. No. 14 was read a third time and passed by the following vote. Ayes: Blake, Buskett, Gorham, Hanscomb, Harwood, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson. 18. Noes: Alderson, Mantle, Thompson, Mr. Speaker. 4. Absent: Hoffman, Holt. 2. Title agreed to.

H.B. No. 9 was read a third time and passed by the following vote. Ayes: Blake, Hanscomb, Mantle, Alderson, Brown, Buskett, Gorham, Harwood, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 23. Noes: None. Absent: Holt. 1. Title agreed to.

H.B. No. 10 was read a third time and lost by the following vote. Ayes: Blake, Hanscomb, Mantle, Marshall, Spaulding, Thompson, Toole, White. 8. Noes: Alderson, Brown, Buskett, Gorham, Harwood, Hoffman, Johnson, Kanouse, Muth, Page, Scobey, Taylor, Titman, Wilson, Mr. Speaker. 15. Absent: Holt. 1.

C.B. Nos. 1 and 4 were signed by the Speaker.

H.B. No. 17 was read a third time and passed (sic) by the following vote. Ayes: Alderson, Buskett, Hoffman, Johnson, Kanouse, Mantle, Muth, Scobey, Spaulding, Titman. 10. Noes: Blake, Brown, Gorham,

Hanscomb, Harwood, Marshall, Page, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker. 13. Absent: Holt. 1.

On motion of Buskett, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 8th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that, Kennedy introduced C.B. No. 21, "A bill for an act to amend an act relating to assessment and levy of taxes" approved March 10, 1887.

C.B. Nos. 11, 19 and 6 have passed the Council and are herewith transmitted. Mr. President signed H.B. No. 7.

R. L. Davis
Chief Clerk

H.B. No. 20 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Hanscomb, Johnson, Marshall, Muth, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 17. Noes: None. Absent: Gorham, Harwood, Hoffman, Holt, Kanouse, Mantle, Page. 7. Title agreed to.

H.B. No. 21 was read a third time and passed by the following vote. Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Kanouse, Marshall, Page, Taylor, Thompson, Titman, Toole, White, Wilson. 14. Noes: Alderson, Brown, Hanscomb, Johnson, Scobey, Spaulding, Mr. Speaker. 7. Absent: Holt, Mantle, Muth. 3. Title agreed to.

H.B. No. 2 under a suspension of the rules read a third time by title passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 22. Noes: None. Absent: Holt. 1. Title agreed to.

The following report was received:

Your Committee on Engrossment to whom was referred H.B. Nos. 11 and 24 beg leave to report the same correctly engrossed.

Spaulding, Chairman

The House resolved itself into a Committee of the Whole for the consideration of general orders. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 8th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Mr.

President has signed C.B. Nos. 1 and 4. Kennedy introduced "A bill for an act creating the office of District Attorney and defining the duties thereof."

C.B. No. 10 has passed the Council and is herewith transmitted.

R. L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee of the Whole having had under consideration C.B. No. 5 direct me to report it back with a recommendation that it do pass. Also H.B. 15 that the accompanying substitute be substituted for said bill and that it do pass. Also C.B. No. 3 with the recommendation that as amended by the majority report of the special committee to whom it was referred do pass. Also H.B. 18 with recommendation that with accompanying amendments it do pass. Also H.B. No. 29 with a recommendation that it be laid on the table.

C.R.A. Scobey, Chairman

On motion of Marshall, substitute for H.B. No. 15 was adopted and ordered engrossed.

On motion of Blake, amendments to H.B. No. 18 were adopted and bill was ordered engrossed.

On motion of Marshall, the amendments to C.B. No. 3 were adopted and they were ordered engrossed.

On motion of Toole, H.B. No. 29 was laid on the table.

On motion of Brown, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

TWELFTH DAY

House of Representatives
September 9th, 1887

House met pursuant to adjournment at 10 A.M. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Journal of eleventh day read and approved.

The following reports were received:

Mr. Speaker: Your Committee on Towns and Counties, having had under consideration H.B. No. 31, recommend same do pass with the accompanying amendment. The same committee, having had under consideration H.B. No. 26, beg leave to report the same without recommendation.

Taylor, Chairman

Mr. Speaker: The majority of your committee to whom was referred H.B. No. 28 entitled, "An act relating to the registration and qualification of voters" beg leave to report the same back to the House and recommend its passage.

Brown, Blake, Spaulding

Mr. Speaker: Your Committee on Agriculture and Manufacturers, to whom was referred H.B. No. 30 entitled, "A bill for an act concerning irrigation and water rights" beg leave to report the same back without recommendation.

Wilson, Chairman

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.B. No. 18 and House amendments to C.B. No. 3, beg leave to report the same back correctly engrossed.

Spaulding, Chairman

H.B. Nos. 26, 28 and 30 and H.B. No. 31 with the substitute reported thereto were placed upon the general orders.

Taylor gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow or on some future day of the session introduce a bill for an act to amend Section 3 of an act to protect game fur-bearing animals and first approved March 8th, 1883.

Taylor, by unanimous consent, introduced H.B. No. 32, "A bill for an act to amend Section 253, second division of the compiled laws of Montana," read first and second times and referred to the Committee on Judiciary.

Kanouse, by unanimous consent, introduced H.B. No. 33, "A bill for an act to repeal Section 10 of an act entitled an act to create the County of Fergus, and for the election of officers thereof." Read first and second times and referred to Committee on Towns and Counties.

The following communication was received:

Territory of Montana
Governor's Office

Helena, Montana Territory
September 9th, 1887

Gentlemen of the House of Representatives:

I have the honor to inform your honorable body that I did on the 8th day of September 1887 approve a bill which originated in your House entitled, "An act defining the qualifications of voters in incorporated towns and cities" and is number 7.

Respectfully,
P.H. Leslie

C.B. No. 6, "A bill for an act to repeal an act relative to bounty for killing certain wild animals" approved March 5th, 1887. Read first and second times and on motion of Scobey the rules were suspended and the bill was placed upon the calendar for a third reading.

C.B. No. 10, "A bill for an act to amend an act concerning Marriages" approved March 9th, 1887. Read first and second times and referred to the Committee on Education and Labor.

C.B. No. 11, "A bill for an act transferring certain records from Gallatin County to Park County," was read first and second times and referred to Committee on Towns and Counties.

C.B. No. 19, "A bill for an act to amend an act entitled an act to encourage tree planting and arboriculture in Montana," approved February 28th, 1887, was read first and second times and referred to Committee on Agriculture and Manufacturers.

H.B. No. 11 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Mantle, Marshall, Page, Scobey, Taylor, Toole, White, Mr. Speaker. 17. Noes: Spaulding, Thompson, Titman, Wilson. 4. Absent: Holt, Kanouse, Muth. 3. Title agreed to.

H.B. No. 24 was read a third time and passed by the following vote. Ayes: Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 21. Noes: None. Absent: Alderson, Holt, Kanouse. 3. Title agreed to.

C.B. No. 2 was read a third time and passed by the following vote. Ayes: Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Muth, Scobey, Taylor, Titman, Toole, White, Wilson, Mr. Speaker. 17. Noes: Alderson, Mantle, Page, Thompson. 4. Absent: Buskett, Holt, Spaulding. 3. Title agreed to.

C.B. No. 5 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Thompson, Titman, Toole, White, Wilson. 20. Noes: None. Absent: Buskett, Holt, Taylor, Mr. Speaker. 4.

C.B. No. 3 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Kanouse, Mantle, Marshall, Page, Scobey, Taylor, Thompson, Titman, Toole, White, Wilson. 18. Noes: Buskett, Johnson, Muth, Spaulding. 4. Absent: Holt, Mr. Speaker. 2. Title agreed to.

C.B. No. 6 was read a third time and lost by the following vote. Ayes: Buskett, Hanscomb, Johnson, Marshall, Muth, Scobey, Spaulding, Thompson, Toole, White. 10. Noes: Alderson, Blake, Brown, Hoffman,

Kanouse, Mantle, Page, Taylor, Titman, Wilson, Mr. Speaker. 11. Absent: Gorham, Harwood, Holt. 3.

On motion of Buskett, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 9th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that by unanimous consent C.J.M. No. 1 praying for an amendment to the Alien Land Law was introduced by Parker and under a suspension of the rules passed the Council and is herewith transmitted.

C.B. Nos. 1 and 4 were presented to the Governor for approval at 3 P.M., September 8th.

Cardwell gave notice of introduction of "A bill in relation to public building."

C.B. Nos. 1 and 4 have been approved by the Governor.

C.B. No. 17 has passed the Council and the same is herewith transmitted.

R. L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. Nos. 12, 17 and 23 beg leave to report them back correctly engrossed.

Spaulding, Chairman

A report from the Joint Committee of the two Houses appointed to inquire into and report the cause of delay in the publication of the compiled laws of the territory made their report which upon motion of Blake was placed on file.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Kanouse in the Chair.

House resumed. Mr. Speaker in the Chair. The following report was received:

Mr. Speaker: Your Committee of the Whole House having considered certain bills have directed me to report the same as follows: H.B. No. 26 with the recommendation that it do pass.

Kanouse

H.B. No. 26 was ordered engrossed.

Marshall asked leave to introduce a resolution for adjournment out of the regular order. Mantle objected and failing to receive a two-thirds vote to revert back to the order of business, the resolution was not taken up.

Taylor gave notice that he would on tomorrow move a reconsideration of the vote by which C.B. No. 6 was lost.

On motion of Blake, the House adjourned until tomorrow at 10 A.M.

David Marks
Chief Clerk

THIRTEENTH DAY

House of Representatives
September 10th, 1887

House met pursuant to adjournment at 10 a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Journal of twelfth day read and approved. Thompson and Toole were excused for the day.

The following reports were received:

Mr. Speaker: Your Committee on Towns and Counties, having had under consideration C.B. 11, beg leave to recommend the same do pass. Also having had under consideration H.B. No. 33, recommend the same do pass.

Taylor, Chairman

Mr. Speaker: Your Committee on Agriculture and Manufacture, to whom was referred C.B. No. 19, beg leave to report the same back with the recommendation that it do pass.

Wilson, Chairman

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.B. No. 26, beg leave to report the same back correctly engrossed.

Spaulding, Chairman

Mr. Speaker: Your Committee on Education and Labor, having had under consideration C.B. No. 10, beg leave to report same back to the House and recommend it do not pass.

C.W. Hanscomb, Chairman

C.B. No. 11 and H.B. No. 33 were placed upon the general orders. Scobey moved that C.B. No. 10 be laid upon the table — motion lost. The bill was placed upon the general orders.

The following report was received:

Mr. Speaker: Your Joint Special Committee to whom was referred H.B. No. 1, "A bill for an act to establish and maintain Hospital for the Insane" respectfully report that they have considered same and recommend that the bill do pass.

Blake, Chairman
Committee on part
of the House

H.B. No. 1 was placed upon the general orders.

Harwood, by unanimous consent, introduced H.B. No. 34, "A bill for an act relating to party walls in incorporated cities and towns," which was read first and second times and referred to the Committee on Towns and Counties.

H.B. No. 35, "An act to amend Section 33 of an act to protect fur-bearing animals and fish" approved March 18th, 1883 was read first and second times and referred to the Committee on Territorial Affairs.

On motion of Marshall, the following resolution was adopted.

Be it resolved by the House the Council concurring, that the Extraordinary Session of the Fifteenth Legislative Assembly stand adjourned Sine die at 12 o'clock noon on Tuesday the 13th inst.

C.J.M. No. 1 Council Joint Memorial praying for an amendment of the Alien Land Law, was read first and second times and on motion of Blake, the rules were suspended. The memorial was read a third time by title and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Hanscomb, Harwood, Hoffman, Kanouse, Mantle, Marshall, Muth, Page, Spaulding, Taylor, Titman, White, Wilson, Mr. Speaker. 18. Noes: Gorham, Scobey. 2. Absent: Holt, Johnson, Thompson, Toole. 4. Title agreed to.

Mr. Speaker announced the signing of C.B. Nos. 3 and 5.

C.B. No. 17, "A bill for an act to amend an act entitled an act authorizing the appointment of stenographers by the District Court," approved March 10, 1887, was read first and second times and referred to the Committee on the Judiciary.

On motion of Blake the rules were suspended. H.B. No. 12 was read a third time by title and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Taylor, Titman, White, Wilson, Mr. Speaker. 19. Noes: None. Absent: Holt, Johnson, Page, Thompson, Toole. 5. Title agreed to.

On motion of White the rules were suspended. H.B. No. 17 was read a third time by title and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, White, Wilson, Mr. Speaker. 21. Noes: None. Absent: Holt, Thompson, Toole. 3. Title agreed to.

H.B. No. 18 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, White, Wilson, Mr. Speaker. 20. Noes: None. Absent: Buskett, Holt, Thompson, Toole. 4. Title agreed to.

H.B. No. 23 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, White, Wilson, Mr. Speaker. 20. Noes: None. Absent: Buskett, Holt, Thompson, Toole. 4. Title agreed to.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Muth in the Chair.

House resumed. Mr. Speaker in the Chair. On motion of Scobey, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt, Thompson, Toole.

The following report was received:

Mr. Speaker: Your Committee of the Whole House have had under consideration H.B. No. 28 and would respectfully report the same back with the recommendation that the bill be laid upon the table. Also H.B. No. 30. Recommend that the bill be laid on the table. Also H.B. No. 31 recom-

mended for passage. Also H.B. No. 33 and report same with recommendation that it do pass.

Muth, Chairman

Marshall moved that H.B. No. 28 be laid upon the table. Marshall moved a call of the House and Gorham, Harwood, Kanouse and Page found to be absent, the Sargeant at Arms was instructed to bring in the absentees. The absentees having appeared in answer to a call of their names further proceedings under the call were dispensed with. H.B. No. 28 was laid on the table by the following vote. Ayes: Brown, Gorham, Hanscomb, Hoffman, Johnson, Kanouse, Marshall, Muth, Taylor, White, Wilson, Mr. Speaker. 12. Noes: Alderson, Blake, Buskett, Harwood, Mantle, Page, Scobey, Spaulding, Titman. 9. Absent: Holt, Thompson, Toole. 3.

On motion of Marshall, H.B. No. 30 was laid upon the table. On motion of Blake, H.B. No. 33 with substitute reported thereto was laid upon the table by the following vote. Ayes: Alderson, Blake, Hanscomb, Hoffman, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Titman. 13. Noes: Brown, Buskett, Gorham, Muth, White, Wilson, Mr. Speaker. 7. Absent: Harwood, Holt, Thompson, Toole. 4.

On motion of Kanouse rules were suspended. H.B. No. 33 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Buskett, Gorham, Hanscomb, Hoffman, Johnson, Kanouse, Marshall, Mantle, Muth, Page, Scobey, Spaulding, Taylor, Titman, White, Wilson, Mr. Speaker. 20. Noes: None. Absent: Harwood, Holt, Thompson, Toole. 4. Title agreed to.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 9th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that, the Council refuses to concur in amendments to C.B. No. 2 and the House is requested to rescind (sic).

R. L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
September 10th, 1887

Mr. Speaker:

I am directed by the Council to return C.B. No. 6 as requested by the House and the same is herewith transmitted.

R. L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
September 10th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that Mr.

President has signed C.B. Nos. 3 and 5. C.B. No. 8 has passed the Council and is herewith transmitted.

R. L. Davis
Chief Clerk

On motion of Kanouse, the House refused to recede from its amendments to C.B. No. 2.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Taylor in the Chair.

House resumed. Mr. Speaker in the Chair. The following report was received:

Mr. Speaker: Your Committee of the Whole House beg leave to make the following report. Having had under consideration C.B. No. 11, recommend it do pass. Having had C.B. No. 19 under consideration, recommend it do pass. Having had C.B. No. 10 under consideration, beg leave to report it back and recommend it be referred to Committee on Judiciary.

Having had H.B. No. 1 under consideration, report it back with the recommendation that the House appoint a committee to investigate the buying of the Warm Springs property, the said committee to make a report at 10 o'clock Monday morning.

Taylor, Chairman

The report of the committee was adopted and in conformity with the recommendation as to H.B. No. 1, the Chair appointed Messrs. Page, Hoffman and Scobey as a committee.

H.B. No. 10 was referred to Committee on Judiciary.

On motion of Marshall, the House adjourned until 10 a.m. Monday.

David Marks
Chief Clerk

FIFTEENTH DAY

House of Representatives
September 12th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt. Journal of thirteenth day read and approved. Brown was excused indefinitely.

The following report was received:

Mr. Speaker: Your Committee on Towns and Counties having had under consideration H.B. No. 34, a majority of said committee recommend the same do pass.

Taylor, Chairman

Mr. Speaker: Your Committee on the Judiciary to whom was referred C.B. No. 17 beg leave to report that they have considered the same and report the bill back with the accompanying amendments and recommend that as amended it do pass.

Marshall, Chairman

Mr. Speaker: Your Committee on the Judiciary to whom was referred C.B. No. 10 have considered the same and report the bill back with the accompanying substitute and recommend that the substitute do pass.

Marshall, Chairman

H.B. No. 34 was placed upon the general orders.

On motion of Blake, the amendments offered to C.B. No. 17 were adopted and the bill was placed upon the general orders.

On motion of Blake, the substitute offered to C.B. No. 10 was adopted and was placed upon the general orders.

The following report was received:

Mr. Speaker: Your select committee appointed to confer with the present contractors for the support of the territorial Insane for the purpose of getting description and invoice of property, and price of the asylum where such Insane are now kept, would respectfully report that they have performed such duty, and herewith submit an itemized description of such property together with price as proposed by such contractors.

Page, Hoffman, Scobey

The report was adopted and the papers accompanying the same were ordered placed on file.

Blake, by unanimous consent, introduced H.B. No. 36, "An act to establish the flag of Montana." Also H.B. No. 37, "A bill for an act regulating the Militia."

C.B. No. 8 for, "An act to amend an act entitled an act to suppress and prevent the dissemination of scab and infectious diseases among sheep" approved March 10th, 1887 was read first and second times and referred to the Committee on Grazing and Stock Growing.

H.B. No. 36 was read first and second times and on motion of Blake the rules were suspended. The bill was considered engrossed, read a third

time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 22. Noes: None. Absent: Buskett, Holt. 2. Title agreed to.

H.B. No. 37 was read first and second times and on motion of Blake, the rules were suspended. The bill was considered engrossed, read a third time by title and passed by the following vote. Ayes: Blake, Brown, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 20. Noes: None. Excused: Alderson, Mantle. 2. Absent: Buskett, Holt. 2. Title agreed to.

H.B. No. 26 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Brown, Gorham, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker. 20. Noes: Hanscomb, Titman. 2. Absent: Buskett, Holt. 2. Title agreed to.

The following communication was received:

Mr. Speaker: I am directed by the Council to inform your honorable body that Cardwell introduced C.B. No. 24, "A bill for an act to enable counties to erect court houses."

H.B. No. 2 as amended has passed the Council and the same is herewith transmitted.

Collins gave notice of introduction of, "A bill for an act relating to the taking of acknowledgements and for other purposes."

Pardee introduced C.J.M. No. 2 praying for the passage of an act of Congress increasing the number of members of the Legislative Assembly of Montana, which (under suspension of the rules) has passed the Council and is herewith transmitted.

The Council adhered to its decision refusing to concur in House amendments to C.B. No. 2 and requests the appointment of a committee of conference thereon.

Reuben L. Davis
Chief Clerk

H.B. No. 2, with Council amendments thereto, was, on motion of Harwood, referred to the special Committee on Revenue.

On motion of Kanouse, the members of Meagher and Gallatin were appointed as a committee on conference No. 2.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Muth in the Chair.

House resumed. Mr. Speaker in the Chair.

The following reports were received:

Mr. Speaker: Your Committee on Judiciary to whom was referred H.B. No. 32, "A bill for an act to amend Section 253, second division of the compiled laws of Montana," would report the same back with the recommendation that it do pass.

Marshall, Chairman

Mr. Speaker: Your Committee of the Whole House who have had under

consideration H.B. No. 1 and report the same back with the recommendation that the bill be recommitted to the special committee on the part of the House, formerly in charge of the bill, with instructions to report a bill authorizing the purchase of the property now used by the contractors for the care of the Insane in a sum not exceeding \$125,000.

Also C.B. No. 17 and amendments and reported the bill back with the recommendation that the amendments be adopted.

Also C.B. No. 10 and substitute and report the same back with the recommendation that the substitute be adopted.

Also H.B. No. 34 and report same with recommendation that it do pass.

Muth

The recommendation of the Committee of the Whole as to H.B. No. 1 was adopted and the bill was referred in accordance therewith.

The amendments reported to C.B. Nos. 10 and 17 were adopted and they were ordered engrossed.

On motion of Blake the rules were suspended and H.B. Nos. 32 and 34 were placed on the calendar for a third reading.

On motion of Scobey, the following resolution was adopted.

Be it resolved by the House, the Council concurring, that the Extraordinary Session of the Fifteenth Legislative Assembly be and stand adjourned at 12 o'clock noon on Wednesday the 14th inst.

On motion of Marshall, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Holt.

The following report was received:

Mr. Speaker: Your committee to whom was referred Council amendments to H.B. No. 2 entitled, "An act to provide for the levy of taxes and assessment of property" respectfully recommend that the House concur in all said amendments except 1st Council Amendment to Section 4, 2nd Council Amendment to Section 57 and as to said amendments that the Council be requested to appoint a conference committee and that a like committee be appointed on the part of the House.

Harwood, Page, Kanouse

On motion of Marshall, the Chair appointed Messrs. Harwood, Kanouse and Marshall as a conference committee on the part of the House on H.B. No. 2.

On motion of Scobey, the House took a recess for 30 minutes.

Resumed. Mr. Speaker in the Chair.

The following reports were received:

Mr. Speaker: Your Committee on Roads and Highways to whom was referred H.B. No. 27, "A bill for an act to amend an act concerning roads and highways" approved March 9th, 1887, report the same back with the accompanying amendments and recommend it do pass as amended.

Gorham, Chairman

Mr. Speaker: Your Committee on Territorial Affairs have had under

consideration H.B. No. 35 and ask leave to report the same back with the recommendation that it be laid on the table.

Toole, Chairman

H.B. No. 27 was placed upon the general orders.

On motion of Toole, H.B. No. 35 was laid upon the table.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that, the Governor has signed C.B. No. 3. H.B. No. 19 as amended has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

Marshall moved a call of the House. A call was had and Thompson was found to be absent. On motion of Marshall, a further call was dispensed with.

On motion of Mantle, the Chair appointed Mantle, Toole and Wilson a committee of conference on the part of the House on H.B. No. 19.

The following report was received:

Mr. Speaker: Your committee of conference on Council amendments to H.B. No. 2 have considered the matters referred to them and the committee unanimously recommend that the amendment herewith accompanying be adopted in lieu of amendment to Section 4 and that the Council recede from its amendment to Section 57.

Harwood, Kanouse, Marshall
Committee on part of the House

On motion of Kanouse, the report was adopted and H.B. No. 2 was ordered enrolled.

The following report was received:

Mr. Speaker: Your special committee to whom was referred H.B. No. 1 have considered the same and beg leave to report the bill back to the House with the accompanying amendments and recommend that as so amended it do pass.

Blake, Chairman of
Special Committee

On motion of Marshall, the report was adopted and the bill was ordered engrossed.

A communication was read from the County Commissioners of Lewis and Clarke County, which on motion of Mantle was laid upon the table.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H.B.

No. 8 (as amended) and C.B. No. 24 have passed the Council and the same is herewith transmitted.

The Council has concurred in House amendments to C.B. No. 2.

Reuben L. Davis
Chief Clerk

On motion of Marshall, the House refused to concur in Council amendments to H.B. No. 8 and the Chair appointed Messrs. Marshall, Kanouse and Mantle, a committee on the part of the House on the same.

C.J.M. No. 2 praying for the passage of an act of Congress increasing the number of members of the Legislative Assembly of Montana was read first and second times and on motion of Blake, the rules were suspended. The memorial was read a third time by title and passed by the following vote. Ayes: Blake, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Page, Scobey, Spaulding, Taylor, Titman, Toole, Wilson, Mr. Speaker. 15. Noes: Alderson, Buskett, Gorham, Hanscomb, White. 5. Absent: Brown, Holt, Muth, Thompson. 4. Title agreed to.

C.B. No. 24, "A bill for an act to enable counties to erect court houses" was read first and second times and referred to Committee on Towns and Counties.

H.B. No. 32 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Wilson, Mr. Speaker. 20. Noes: None. Absent: Brown, Holt, Mantle, Thompson. 4. Title agreed to.

On motion of Muth, H.B. No. 34 was recommitted to the Committee on Judiciary.

The House resolved itself into a Committee of the Whole for the consideration of general orders. Scobey in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee of the Whole have considered H.B. No. 27 and direct me to report it back with the accompanying amendment and recommend that as amended it do pass.

C.R.A. Scobey, Chairman

On motion of Muth, the amendments reported to H.B. No. 27 were adopted and the bill was ordered engrossed.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that the Council has appointed Messrs. Collins, Burleigh and Holliday to act on the part of the Council as conference committee on H.B. No. 19 and Messrs. Kennedy, Rickards and Sutherlin to act as such committee of conference on H.B. No. 8.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
September 12th, 1887

I am directed by the Council to inform your honorable body that the Council adopted the recommendations of the report of conference committee and recede from its amendments to Section 57 of H.B. No. 2 and adopted the accompanying amendments in lieu of the amendments to Section 14 of said bill.

Reuben L. Davis
Chief Clerk

The following report was received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred House substitute for C.B. No. 10 and House amendments to C.B. No. 17, beg leave to report the same back correctly engrossed.

Spaulding, Chairman

C.B. No. 10 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Gorham, Hanscomb, Harwood, Johnson, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Mr. Speaker. 15. Noes: None. Absent: Brown, Buskett, Hoffman, Holt, Kanouse, Mantle, Marshall, Thompson, Wilson. 9. Title agreed to.

C.B. No. 17 was read a third time and passed by the following vote. Ayes: Alderson, Blake, Gorham, Hanscomb, Harwood, Johnson, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Mr. Speaker. 15. Noes: None. Absent: Brown, Buskett, Hoffman, Holt, Kanouse, Mantle, Marshall, Thompson, Wilson. 9. Title agreed to.

On motion of Scobey, the House adjourned until 10 a.m. tomorrow.

David Marks
Chief Clerk

SIXTEENTH DAY

House of Representatives
September 13th, 1887

House met pursuant to adjournment at 10 o'clock a.m. Mr. Speaker in the chair. Roll called. Quorum present. Absent on leave: Brown, Holt. Journal of fifteenth day read and approved.

Mr. Speaker announced the signing of C.B. Nos. 11, 19, 2 and C.J.M. No. 1.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: House concurrent resolution, "That the Extraordinary Session of the Fifteenth Legislature be and stand adjourned at 12 o'clock noon on Wednesday the 14th inst.", was adopted by the Council.

H.B. No. 24 has passed the Council and is herewith transmitted.

Bills (without objection thereto) were introduced as follows: By Burleigh: C.B. No. 25, "A bill for an act to amend an act entitled an act for the formation of municipal corporations" as approved March 10th, 1887. By Collins: C.B. No. 26, "An act concerning acknowledgements." By Hundley: C.B. No. 27, "A bill for an act (sic) entitled an act to provide for deputy County Treasurers and to fix their compensation" approved February 18th, 1887.

Reuben L. Davis
Chief Clerk

H.B. No. 24 was ordered enrolled.

On motion of Marshall, the Chair appointed a joint committee consisting of Marshall, Blake and White to act with a like committee of the Council to wait upon the Governor and to inform his Excellency that this Legislative Assembly has decided to adjourn Sine die: at 12 o'clock noon Wednesday the 14th inst.

The following reports were received:

Mr. Speaker: Your Committee on Engrossment, to whom was referred H.B. No. 1, beg leave to report the same back correctly engrossed.

Spaulding, Chairman

Mr. Speaker: Your Committee on Grazing and Stock Growing have had under consideration C.B. No. 8 and recommend the same do pass as amended.

J. Titman

Mr. Speaker: Your committee to whom was referred H.B. No. 34, "A bill for an act relating to party walls in incorporated cities and towns" would report the same back recommending that it do not pass.

Marshall, Chairman

C.B. No. 8 with amendments were placed upon the general orders.

On motion of Blake, C.B. No. 34 was laid upon the table.

The following reports were received:

Mr. Speaker: The joint committee appointed to confer on H.B. No. 19, "A bill for an act concerning the bounty for killing certain wild animals" have directed me to report back a substitute therefor entitled, "A bill for an act to provide for a bounty for killing certain wild animals," which substitute is reported herewith.

Mantle, Chairman
Conference Committee

Mr. Speaker: A minority of your joint committee of conference on H.B. No. 19 beg leave to report that they dissent from the amendments proposed by the majority making the several counties of the territory liable for the payment of the bounty for wild animals, specified in the bill, but concur in the other amendments which have been proposed.

Holliday of Council
Wilson of House

On motion of Marshall, the substitute offered by a majority of the conference committee was adopted by the following vote. Ayes: Buskett, Hanscomb, Harwood, Johnson, Mantle, Marshall, Muth, Scobey, Spaulding, Thompson, Toole, White. 12. Noes: Alderson, Blake, Gorham, Hoffman, Kanouse, Page, Taylor, Titman, Wilson, Mr. Speaker. 10. Absent: Brown, Holt. 2.

The following communication was received:

Mr. Speaker: Your joint committee of conference on H.B. No. 8 concerning Licenses have considered the same and recommend that the House concur in all the Council amendments except as follows: Amend Section 5 by striking out the words "Ten dollars" in the last grade of Express company's license and insert in lieu the words, "Two dollars and fifty cents." And that an additional section be added to the bill repealing Section 18 of the old law.

We also recommend that the license on Telephone Companies be reduced to 50 for each instrument.

We recommend that the Council be asked to recede from its amendments to Sections 4 and 11 relating to liquors and also from its amendments relating to licenses on gambling.

Marshall, Kanouse, Mantle
House Conference Committee

On motion of Marshall the report was adopted.

The following communications were received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that the Council refuses to concur in House amendments to C.B. No. 17 and requested a committee of conference thereon. Mr. President appointed

Burleigh, Rickards and Collins on such committee on the part of the Council.

The Council concurred in House amendments to C.B. No. 10.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker: I am directed by the Council to inform your honorable body that H.B. No. 17 has passed the Council and the same is herewith transmitted. Mr. President has signed C.B. Nos. 2, 11, 19 and C.J.M. No. 1.

Reuben L. Davis
Chief Clerk

On motion of Blake, the Chair appointed Blake, Toole and Spaulding as committee of conference on C.B. No. 17. H.B. No. 17 was ordered enrolled. Toole, by unanimous consent, introduced H.J.M. No. 1 asking for a brick wall around the Penitentiary.

On motion of Toole, the rules were suspended. The memorial was considered engrossed, read a third time by title and passed by the following vote. Ayes: Alderson, Blake, Buskett, Hanscomb, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 21. Noes: None. Absent: Brown, Gorham, Holt. 3. Title agreed to.

H.B. No. 1 under suspension of the rules was read a third time by title and passed by the following vote. Ayes: Alderson, Blake, Buskett, Gorham, Hanscomb, Hoffman, Mantle, Marshall, Muth, Taylor, Thompson, Titman, Toole, White, Wilson. 15. Noes: Harwood, Johnson, Kanouse, Page, Scobey, Spaulding, Mr. Speaker. 7. Absent: Brown, Holt. 2. Title agreed to.

The House resolved itself into a Committee of the Whole. Toole in the Chair.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: Your Committee on Towns and Counties having had under consideration C.B. No. 24 beg leave to recommend the same do pass.

Taylor, Chairman

On motion of Scobey, C.B. No. 24 was laid upon the table.

The following report was received:

Mr. Speaker: Your Committee of the Whole has had under consideration C.B. No. 8 and ask leave to report the same back with the recommendation that it be laid on the table.

Toole, Chairman

On motion of Scobey, the rules were suspended, C.B. No. 8 was read a third time by title and passed by the following vote. Ayes: Blake, Buskett, Gorham, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 19. Noes: Hanscomb. 1. Absent: Brown, Holt, Page. 3. Excused: Alderson. 1. Title agreed to.

On motion of Blake, H.B. No. 25 was laid on the table.

The following report was received:

Mr. Speaker: Your Committee on Engrossment to whom was referred H.B. No. 27 beg leave to report the same back correctly engrossed.

Spaulding, Chairman

On motion of Scobey, the rules were suspended. H.B. No. 27 was read a third time by title and passed by the following vote. Ayes: Gorham, Harwood, Hoffman, Johnson, Kanouse, Mantle, Marshall, Muth, Scobey, Spaulding, Thompson. 11. Noes: Alderson, Blake, Hanscomb, Taylor, Titman, White, Wilson. 7. Absent: Brown, Buskett, Holt, Page. 4. Excused: Toole, Mr. Speaker. 2. Title agreed to.

On motion of Scobey, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Holt.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that C.B. No. 27 was laid upon the table. Mr. President has appointed Messrs. Rickards, Waters and Hundley to act in conjunction with the House committee to wait upon the Governor and inform him that this Legislative Assembly would adjourn at noon on Wednesday, September 14th, 1887.

The recommendations of the conference committee on H.B. No. 8 were adopted by the Council. The substitute for H.B. No. 19 reported by conference committee was adopted by the Council. The bill and substitute are herewith transmitted.

Reuben L. Davis
Chief Clerk

H.B. Nos. 8 and 19 were ordered enrolled.

The following report was received:

Mr. Speaker: Your Committee of Conference on C.B. No. 17 respectfully report that they have met a like committee on the part of the Council and have agreed upon the following amendments.

Strike out in Section 1, the word "Eighteen" and insert in lieu thereof the word "Fifteen" that the House recedes from its amendments.

Blake, Chairman of Committee
on part of the House

On motion of Blake, the report was adopted.

Mantle, by unanimous consent, introduced H.B. No. 38, "A bill for an act to define the boundary lines of Silver Bow county." Read first and second times and referred to the Committee on Towns and Counties.

On motion of Toole, the House took a recess until 3 p.m.

3 P.M.

House resumed. Mr. Speaker in the Chair. The following report was received.

Mr. Speaker: Your Committee on Enrollment, to whom was referred H.B. No. 17, have examined the same and find it correctly engrossed and present the same herewith for your signature.

Hoffman, Chairman

Mr. Speaker announced the signing of H.B. No. 17.

The following report was received:

Mr. Speaker: Your Committee on Towns and Counties, having had under consideration H.B. No. 38, beg leave to report the same back to the House without recommendation.

Taylor, Chairman

On motion of Marshall, H.B. No. 38 was referred to a special committee consisting of members from Silver Bow, Madison and Beaverhead.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 12th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council has concurred in House amendments to C.B. No. 8. C.B. No. 22 was recommended not to pass.

The recommendations of the report of the conference committee on C.B. No. 17 were adopted.

H.B. Nos. 13 and 3 both as amended have passed the Council and the same are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Mantle, the House concurred in council amendments to H.B. No. 3.

On motion of Mantle, the Chair appointed Harwood, Marshall and Mantle as a conference committee on the part of the House on H.B. No. 13.

The following report was received:

Mr. Speaker: Your Committee on Enrollment, to whom was referred H.B. No. 24, have examined the same and found it correctly enrolled and present it herewith for your signature.

Hoffman, Chairman

Mr. Speaker announced the signing of H.B. No. 24.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 13th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H.B.

No. 9 (as amended) has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Blake, the House concurred in council amendments to H.B. No. 9 and the bill was ordered enrolled.

The following communication was received:

Council Chambers
Helena, Montana Territory
September 13th, 1887

I am directed by the Council to inform your honorable body that C.B. Nos. 16 and 20, under a suspension of the rules, have passed the Council and are herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Marshall, the rules were suspended. C.B. No. 16 was read first and second times, and passed by the following vote. Ayes: Alderson, Blake, Hanscomb, Hoffman, Johnson, Mantle, Marshall, Muth, Page, Scobey, Spaulding, Taylor, Titman, Toole, White, Mr. Speaker. 16. Noes: None. Absent: Brown, Buskett, Gorham, Harwood, Holt, Kanouse, Thompson, Wilson. 8. Title agreed to.

C.B. No. 20 was read first and second times and on motion of Blake was laid upon the table. On motion of Mantle, the House took a recess for fifteen minutes.

House resumed. Mr. Speaker in the Chair.

The following report was received:

Mr. Speaker: The conference committee of the Council and House appointed to consider Council amendments to H.B. No. 13, beg leave to report that said committee considered the amendments introduced to said bill by the Council and unanimously recommend that the Council recede therefrom.

Rickards, Chairman
on part of Council

E.W. Harwood, Chairman
on part of House

On motion of Blake, H.B. No. 13 was under a suspension of the rules considered enrolled.

On motion of Marshall, Messrs. Harwood and Kanouse were excused from attendance at tomorrow's session.

The following communications were received:

Council Chamber
Helena, Montana Territory
September 13th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body, that the Council adopted the recommendation of the committee of conference on H.B. No. 13.

Reuben L. Davis
Chief Clerk

Council Chamber
Helena, Montana Territory
September 13th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H.J.M. No. 1 has passed the Council and is herewith transmitted. Mr. President has signed H.B. Nos. 2, 24 and 17.

Reuben L. Davis
Chief Clerk

H.J.M. No. 1 was ordered enrolled. Mr. Speaker announced the signing of H.B. Nos. 2 and 4.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 13th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that under a suspension of the rules, H.B. No. 12 as amended has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Marshall, the House concurred in council amendments to H.B. No. 12. On motion of Muth, the House took a recess until 7 p.m.

7 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on Leave: Brown, Holt.

Mr. Speaker announced the signing of C.B. Nos. 8, 10, 16 and 17 and C.J.M. No. 2.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 13th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that H.B. Nos. 14 and 6 have under a suspension of the rules passed the Council and the same are herewith transmitted. Mr. President has signed H.B. No. 4. H.B. Nos. 6 and 14 were ordered enrolled.

Mr. Speaker announced the signing of H.B. No. 19.

Marshall gave notice as follows:

Mr. Speaker: I hereby give notice that I will on tomorrow introduce a bill to appeal (sic) all laws relating to the payment of bounties for killing wild animals.

On motion of Taylor, the House adjourned until 9 a.m. tomorrow.

David Marks
Chief Clerk

SEVENTEENTH DAY

House of Representatives
September 14th, 1887

House met pursuant to adjournment at 9 o'clock a.m. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Harwood, Holt, Kanouse. Journal of sixteenth day read and approved.

Marshall introduced H.B. No. 39, "A bill for an act to repeal all laws relating to the payment of bounty for killing wild animals." Read first and second times.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 13th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Under suspension of the rules H.B. Nos. 37 and 32 have passed the Council and the same are herewith transmitted.

No objection being made, Collins introduced C.B. No. 28, "A bill for an act relating to County Attorneys," which, under suspension of the rules, has passed the Council and the same is herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Blake, the Chair appointed Blake, Marshall and Johnson as a committee of conference on H.B. No. 37.

H.B. No. 32 was ordered enrolled.

C.B. No. 28, "A bill for an act relating to County Attorneys" was read first and second times. The rules were suspended, read a third time by title and passed by the following vote. Ayes: Blake, Gorham, Johnson, Marshall, Muth, Scobey, Spaulding, Taylor, Thompson, Titman, Toole, White, Wilson, Mr. Speaker. 14. Noes: Alderson. Absent: Brown, Buskett, Hanscomb, Harwood, Hoffman, Holt, Kanouse, Mantle, Page. 9. Title agreed to.

Mr. Speaker announced the signing of H.B. Nos. 9, 12, 13, 3, 8, 14, 6 and H.J.M. No. 1.

On motion of Marshall, the rules were suspended and H.B. No. 39 was placed on the calendar for a third reading by the following vote. Ayes: Buskett, Gorham, Hanscomb, Johnson, Mantle, Marshall, Muth, Scobey, Spaulding, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker. 15. Noes: Alderson, Blake, Page, Titman. 4. Absent: Brown, Harwood, Hoffman, Holt, Kanouse. 5.

H.B. No. 39 passed by the following vote. Ayes: Buskett, Gorham, Hanscomb, Johnson, Marshall, Muth, Scobey, Taylor, Thompson, Toole, White, Wilson, Mr. Speaker. 13. Noes: Alderson, Blake, Hoffman, Mantle, Page, Spaulding, Titman. 7. Absent: Brown, Harwood, Holt, Kanouse. 4. Title agreed to.

The following message was received from the Governor:

Territory of Montana
Governor's Office
Helena, September 13th, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on the 13th day of September, 1887, approved and signed bills which originated in your body titled and numbered as follows to wit: Bill No. 4 entitled, "An act to regulate trial practice in District Courts in relation to exceptions and instructions." Bill No. 24 entitled, "An act to amend Section 172 of the Fifth Division of the Compiled Statutes of Montana." Bill No. 19 entitled, "An act to provide for a bounty for killing certain wild animals." Bill No. 17 entitled, "An act to create a school text book commission."

Respectfully,
P.H. Leslie, Governor

Territory of Montana
Governor's Office
Helena, September 14th, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed the bill which originated in your body entitled, "An act to provide for the levy of taxes and assessment of property."

Respectfully,
P.H. Leslie, Governor

The following communication was received:

Council Chamber
Helena, Montana Territory
September 14th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H.B. No. 39 under a suspension of the rules, has passed the Council and is herewith transmitted.

Reuben L. Davis
Chief Clerk

H.B. No. 39 was ordered enrolled.

On motion of Mantle, the following resolution was adopted.

Resolved by the House, the Council concurring that the time for adjourning the Extraordinary Session of the Fifteenth Legislative Assembly be extended from 12 o'clock noon on Wednesday, the 14th day of September, until 7 o'clock p.m. of said day provided that no new matters of legislation shall be introduced in either branch after 12 o'clock noon.

Mr. Speaker announced the signing of H.B. Nos. 32 and 39.

Journal up to this hour read and approved.

Mr. Speaker announced the signing of C.B. No. 28.

The following communication was received:

Council Chamber
Helena, Montana Territory

September 14th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: The Council adheres to its amendment to H.B. No. 37 and the bill is herewith transmitted.

Reuben L. Davis
Chief Clerk

On motion of Marshall, the House insisted in its non-concurrence to Council amendments to H.B. No. 37.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 14th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: H.C. Resolution extending time for adjournment was amended by the Council by striking out the proviso and adding the words "Provided that nothing shall be considered by the Legislative Assembly except communications from the Executive after 12 o'clock noon." And as amended the resolution was adopted.

Reuben L. Davis
Chief Clerk

On motion of Marshall, the House concurred in Council amendments to the resolution in reference to adjournment.

On motion of Muth, the House took a recess until 2 p.m.

2 P.M.

House resumed. Mr. Speaker in the Chair. Roll called. Quorum present. Absent on leave: Brown, Harwood, Holt, Kanouse.

The following communication was received:

Council Chamber
Helena, Montana Territory
September 14th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: Mr. President has signed H.B. Nos. 3, 6, 8, 9, 12, 13, 14, H.J.M. No. 1 and C.B. No. 28.

The Governor has approved C.B. Nos. 11, 19, 12, 10, 8, 16, 17. Sutherlin, by consent, introduced C.J.R. No. 2 to provide payment for certain printing for the Legislative Assembly which (under suspension of the rules) passed the Council and is herewith transmitted. The Council refused to recede from its amendments to H.B. No. 37.

Reuben L. Davis
Chief Clerk

The following resolution was on motion of Alderson adopted.

Resolved that the thanks of the House of Representatives of the Fifteenth Legislative Assembly of Montana are due and the same are hereby heartily tendered to the publishers of the Helena Daily Herald, Helena Daily Independent, Butte Daily Miner and Butte Daily Inter Mountain

for the gratuitous distribution of their respective papers to all of the members of this body during this extra session.

On motion of Marshall, the House took a recess for 15 minutes.

Resumed. Mr. Speaker in the Chair.

The following communication was received from the Governor:

Territory of Montana
Governor's Office
Helena, September 14th, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day approved and signed bills which originated in your body numbered and titled as follows to wit: Bill No. 9 entitled, "A bill for an act to amend an act entitled an act to amend an act relating to Liens of Mechanics and others" approved March 9th, 1887. Bill No. 39 entitled, "An act to repeal all laws relating to the payment of bounties for killing wild animals." Bill No. 32 entitled, "An act to amend Section 253, Second Division of the Compiled Statutes of Montana." Bill No. 3 entitled, "An act to amend an act entitled an act to amend Section 535 and 594 of Chapter 22 of the Fifth Division of the Revised Statutes of Montana" approved March 10th, 1887. Bill No. 14 entitled, "An act concerning the terms of office of County Assessors." Bill No. 13 entitled, "An act to amend an act relating to the formation of Municipal Corporations" approved March 10th, 1887. Bill No. 8 entitled, "An act to amend an act entitled an act concerning licenses". Bill No. 12 entitled, "An act to enable certain cities and towns to incur indebtedness."

Respectfully,
P.H. Leslie

Journal read and approved up to this hour.

The following message was received from the Governor.

Territory of Montana
Governor's Office
Helena, September 14th, 1887

Gentlemen of the House of Representatives:

I have the honor to inform you that I have on this day signed and approved the Bill No. 6 entitled, "An act to create the office of Attorney General of the Territory of Montana."

Respectfully,
P.H. Leslie

The following communication was received:

Council Chamber
Helena, Montana Territory
September 14th, 1887

Mr. Speaker:

I am directed by the Council to inform your honorable body that: C.B. No. 28 has been approved by the Governor.

Reuben L. Davis
Chief Clerk

On motion of Marshall, a committee of three consisting of Marshall,

Scobey and Buskett were appointed together with a like committee on the part of the Council, to wait upon the Governor and ascertain if he has anything further to communicate to this body.

The following resolution on motion of Page was adopted.

Resolved that the thanks of this House are justly due and are hereby tendered to its Speaker, F. K. Armstrong, for the fair, honorable and impartial manner in which he has presided over its deliberations.

On motion of Marshall, the following resolution was adopted.

Resolved that the members of this House hereby express their thanks to David Marks, Chief Clerk, his associates and to his assistants and employees of this body for the able and efficient manner in which they have performed their respective duties.

Marshall

Journal read and approved up to this hour.

The joint committee reported that the Governor had nothing further to communicate.

The hour having arrived at which the Extraordinary Session of the Fifteenth Legislative Assembly is to adjourn, as per concurrent resolution, the Gavel of the Speaker fell and the Fifteenth Extraordinary Session was declared adjourned Sine Die.

F. K. Armstrong
Speaker of the House
of Representatives

Attest

David Marks
Chief Clerk

We do hereby certify the foregoing to be a true and correct account of the proceedings of the Extraordinary Session of the Fifteenth Legislative Assembly from page 1 to page 96.

F. K. Armstrong
Speaker of the House

Attest

David Marks
Chief Clerk

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- 1 Introduced by Blake: "A bill for an act concerning the crime of rape."
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- 2 Introduced by Blake: "A bill for an act to authorize the Governor to execute bonds for arms for the militia."
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- 3 Introduced by Brown: "An act concerning the sale of intoxicating liquors to the indigent poor."
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- 4 Introduced by Brown: "An act to amend Sec. 398 and to repeal Sec. 452 of the Revised Statutes of Montana."
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- 5 Introduced by Blake: "A bill for an act concerning the rights of married women."
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- 6 Introduced by Alderson: "An act to repeal certain sections of the Fourth Division of the Revised Statutes of Montana."
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- 7 Introduced by Scobey: "An act concerning the Bonds of Justices of Peace and Constables."
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- 8 Introduced by Blake: "An act concerning the Seal of the Territory."
Legislative Day 9, 10, 11, 13.
- 9 Introduced by Kanouse: "A bill for an act to apportion the members of the Legislative Assembly."
Legislative Day 9, 54, 58, 59.
- 10 Introduced by Thompson: "An act to protect the wages of wage workers."
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- 11 Introduced by Holt: "To amend Sec. 1 of an act to prevent the branding of cattle during certain seasons of the year."
Legislative Day 10, 12, 13, 18, 19.

- 12 Introduced by Kanouse: "A bill for an act to amend an act entitled, 'An act limiting compensation of certain officers herein named'."

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- 13 Introduced by White: "An act to prevent sale of intoxicants in variety theatres."

Legislative Day 10, 11, 12, 19.

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Legislative Day 19, 24, 25, 27, 38.

- 14 Introduced by Alderson: "An act to provide the public schools of the Territory with Webster's Unabridged Dictionary."

Legislative Day 11, 13, 16, 17.

- 15 Introduced by Blake: "An act concerning time of holding terms of the Supreme Court."

Legislative Day 11, 12, 16, 17, 19, 20, 22, 25, 27.

- 16 Introduced by Brown: "An act concerning road superintendents and defining their duties."

Legislative Day 12, 15, 37, 39.

- 17 Introduced by Brown: "An act to enable the County of Beaverhead to build a Court House."

Legislative Day 12, 22, 23, 33.

- 18 Introduced by Blake: "A bill for an act to amend an act concerning the power of corporations to own land."

Legislative Day 12, 16.

- 19 Introduced by Hoffman: "An act for the purpose of appropriating money for the improvement of the Law Library of the Territory of Montana."

Legislative Day 12, 15, 16, 17.

- 20 Introduced by Page: "A bill for an act to establish a hospital for the insane."

Legislative Day 12, 17, 20.

Substitute for H. B. No. 20.

Legislative Day 33, 38, 40, 47, 54, 55, 57, 58, 59.

- 21 Introduced by Buskett: "An act for the relief of A. J. Davidson and Wm. N. Baldwin."

(See H. J. R. No. 3)

Legislative Day 13, 15, 32, 36.

- 22 Introduced by Buskett: "An act to repeal Sections 2 and 3 of an act entitled, 'An act to provide for the collection of special poor tax approved February 15, 1883.'"

Legislative Day 15, 16, 24, 27.

- 23 Introduced by Hanscomb: "An act to secure to miner's greater safety."

Legislative Day 15, 16, 31, 34, 37, 38, 52, 55.

- 24 Introduced by Muth: "An act concerning mortgages upon real and personal property of corporations."

Legislative Day 15, 16, 18, 19, 32, 37.

- 25 Introduced by Judiciary Committee: "A bill for an act defining compensation for county officers."

Legislative Day 16, 17, 24, 27, 29.

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Legislative Day 29, 31, 45, 47.

- 26 Introduced by Buskett: "An act to provide for the registration of the names of electors and to prevent frauds at elections."

Legislative Day 16, 19, 24, 27, 30.

- 27 Introduced by Page: "A bill for an act to regulate gambling."

Legislative Day 16, 17, 20, 22, 57, 59.

- 28 Introduced by Page: "A bill for an act to amend Sec. 310, Article 3, page 469, Revised Statutes of Montana."

Legislative Day 16, 18, 19, 23, 25, 29, 31, 54, 57, 58.

- 29 Introduced by Mantle: "A bill for an act in relation to railroad corporations."

Legislative Day 16, 18, 32, 39, 41, 52, 53.

- 30 Introduced by Kanouse: "A bill for an act to secure watering places for stock."

Legislative Day 16, 23, 24, 25, 53, 57.

- 31 Introduced by Blake: "A bill for an act concerning the trustees of religious corporations."

Legislative Day 18, 19, 22, 24, 27, 40, 46.

- 32 Introduced by Hanscomb: "An act to secure persons and animals from danger arising from mining and other excavations."

Legislative Day 18, 19, 41, 52

- 33 Introduced by Toole: "An act to amend Section 801 of the Fifth Division of the Revised Statutes of Montana."

Legislative Day 19, 24, 33, 41, 51.

- 34 Introduced by Gorham: "An act to amend an act relative to killing certain animals."
Legislative Day 19, 24, 40, 41, 53, 55.
- 35 Introduced by Hanscomb: "A bill for an act for liens of mechanics and others."
Legislative Day 20, 24, 31, 34, 40, 52, 54, 58, 59.
- 36 Introduced by Thompson: "A bill for an act concerning licenses."
Legislative Day 22, 27, 50, 51, 53, 57, 58, 59, 60.
- 37 Introduced by Muth: "An act to amend an act entitled, 'An act limiting the compensation of certain officers named herein.'"
Legislative Day 22, 24, 29, 32, 36, 39, 40.
- 38 Introduced by Gorham: "An act concerning supervision of roads and highways."
Legislative Day 22, 24, 37, 45, 52, 53, 54, 57, 59.
- 39 Introduced by Page: "A bill for an act to prohibit the retailing of intoxicating liquors on Sunday."
Legislative Day 22, 24, 31, 33, 58.
- 40 Introduced by Buskett: "An act to provide for the establishment of independent graded school districts."
Legislative Day 23, 26, 33, 37.
- 41 Introduced by Harwood: "An act concerning chattel mortgages."
Legislative Day 23, 26, 40, 45, 46, 52, 55.
- 42 Introduced by Committee on Elections: "A bill for an act relating to elections."
Legislative Day 24, 27, 29, 32, 36.
- 43 Introduced by Brown: "A bill for an act to amend an act entitled, 'An act concerning fences,'" approved March 10, 1885.
Legislative Day 24, 26, 36, 37, 38, 51, 53.
- 44 Introduced by Taylor: "An act to amend Section 380, Article 2, Fifth Division of the Revised Statutes of Montana Territory."
Legislative Day 24, 26, 29, 33, 36, 57, 59.
- 45 Introduced by Armstrong: "An act concerning the fees of jurors in civil cases," approved February 21, 1881.
Legislative Day 25, 30, 33, 38, 47, 50.
- 46 Introduced by Taylor: "An act to prevent Rams to run at large between the first day of August and the first day of December."
Legislative Day 25, 30, 36, 39, 40, 47, 50.

- 47 Introduced by Taylor: "An act to prevent the abandonment of sheep."

Legislative Day 25, 30, 36, 39, 40.

- 48 Introduced by Hanscomb: "An act to provide for the payment of stock killed or injured by railroads."

Legislative Day 26, 31, 53, 54, 57, 58, 59.

- 49 Introduced by Harwood: "A bill for an act regulating appeals from orders granting new trials in the District Court."

Legislative Day 27, 31, 40, 45, 46.

- 50 Introduced by Armstrong: "An act concerning the fees and compensation of certain district and county officers."

Legislative Day 29, 34, 39, 40, 50, 54, 58, 59, 60.

- 51 Introduced by Harwood: "A bill for an act to amend an act entitled, 'An act limiting the compensation of certain officers herein named,'" approved March 12, 1885.

Legislative Day 29, 31, 33, 37, 39.

- 52 Introduced by Muth: "An act to amend Sections 396 and 397 of the Second Division of the Statutes of Montana Territory."

Legislative Day 29, 33, 40, 45, 47, 53, 55.

- 53 Introduced by Mantle: "A bill for an act concerning obscene literature."

Legislative Day 29, 31, 33, 39, 40, 47, 50.

- 54 Introduced by Blake: "An act to compile and arrange the general laws of the Territory of Montana, in force at the commencement of the Fifteenth Regular Session of the Legislative Assembly on the tenth day of January, A.D. 1887."

Legislative Day 29, 33, 36, 48, 50.

- 55 Introduced by Harwood: "A bill for an act to authorize the organization and incorporation of building and loan associations."

Legislative Day 30, 36, 40, 41, 50, 54, 57, 58.

- 56 Introduced by Harwood: "A bill for an act to amend an act entitled, 'An act to create the County of Yellowstone, and for the election of officers thereof,'" approved February 26, 1883.

Legislative Day 31, 34, 39, 41, 45, 50, 51.

- 57 Introduced by Joint Library Committee: "An act reorganizing and consolidating the Montana Library."

Legislative Day 31, 34, 41, 52, 55, 59, 60.

- 58 Introduced by Gorham: "A bill for an act concerning the Lord's Day."

Legislative Day 32, 38, 40, 41, 45, 50, 51.

- 58 Introduced by Wilson: "An act to amend an act concerning the representation of Quartz Lodes."

Legislative Day 32, 36, 41, 52, 54, 58, 59.

- 60 Introduced by Muth: "An act for the relief of Fisk Brothers."
(See H. J. R. No. 4)

Legislative Day 34, 48, 41.

- 61 Introduced by Muth: "An act to amend an act entitled, 'An act to enable the County of Lewis and Clarke to build a court house.'"

Legislative Day 34, 38, 39, 47, 50.

- 62 Introduced by Harwood: "A bill for an act to amend an act entitled, 'An act to authorize county commissioners to issue bonds to redeem outstanding indebtedness,'" approved March 6, 1883.

Legislative Day 34, 38, 47, 48, 52, 55.

- 63 Introduced by White: "An act to amend Section 648 of the Fifth Division of the Revised Statutes of Montana."

Legislative Day 36, 37, 38, 40, 52, 55, 58, 59.

- 64 Introduced by Marshall: "An act concerning the publication of summons."

Legislative Day 36, 38, 40, 52, 55, 58, 59.

- 65 Introduced by Page: "A bill for an act to provide for preventing the evils of intemperance by local option in any county in this Territory by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county, to provide penalties for its violation and other purposes."

Legislative Day 37, 39, 40, 52, 55, 59, 60.

- 66 Introduced by Taylor: "An act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the Territory of Montana."

Legislative Day 38, 41; 48, 53, 58.

- 67 Introduced by Marshall: "An act in relation to the alienation of mining property by corporations."

Legislative Day 38, 39, 40, 41, 47, 58, 59.

- 68 Introduced by Blake: "An act to provide for the organization of railroad corporations, and to regulate the operation thereof."

Legislative Day 38, 46, 48, 54, 57, 58.

- 69 Introduced by Thompson: "An act to repeal Article 2 of the Fifth

Division of the Revised Statutes of the Territory of Montana."

Legislative Day 38, 40, 45, 46, 47.

- 70 Introduced by Blake: "A bill for an act to establish a Board of Education."

Legislative Day 38, 40, 41, 45.

- 71 Introduced by Blake: "An act to amend Section 161 of the Fourth Division of the Revised Statutes of Montana."

Legislative Day 38, 40, 45, 46, 52, 55.

- 72 Introduced by Scobey: "An act to amend Sections 106 and 110 of the Fifth Division of the Revised Statutes of Montana Territory."

Legislative Day 39, 41, 48, 54, 55, 57, 59.

- 73 Introduced by Blake: "An act authorizing the appointment of stenographers by the District Courts."

Legislative Day 39, 46, 50, 54, 57, 58, 59, 60.

- 74 Introduced by Armstrong: "An act to encourage the construction of canals in the Territory of Montana."

Legislative Day 39, 46, 52, 57, 58, 59.

- 75 Introduced by Marshall: "An act to create the office of Attorney General."

Legislative Day 39, 45, 55, 57, 58, 59.

- 76 Introduced by Hoffman: "An act to amend Sections 2 and 5 of an act entitled, 'An act to protect game, fur bearing animals and fish.'"

Legislative Day 40, 46, 51, 54, 58, 59.

- 77 Introduced by Thompson: "A bill to prevent double taxation."

Legislative Day 40, 46, 50, 54.

- 78 Introduced by Marshall: "A bill for an act to amend an act creating the office of County Attorney."

Legislative Day 45, 48, 55, 58, 59.

- 79 Introduced by Taylor: "An act to create the County of Teton and for the election of officers thereof."

Legislative Day 45, 50, 54, 55.

- 80 Introduced by Hoffman: "An act regarding the sale of poisonous drugs."

Legislative Day 46, 48, 52, 55, 57, 58, 59.

- 81 Introduced by Holt: "An act to prevent diseased animals running at large on the public range."
Legislative Day 46, 48, 50, 54, 55, 57, 59.
- 82 Introduced by Johnson: "A bill to prevent the poisoning of dogs and other domestic animals and to define the punishment for the same."
Legislative Day 46, 48, 51, 55, 57, 58, 59.
- 83 Introduced by Committee on Incorporations: "A bill for an act concerning savings banks and trust deposit and security associations."
Legislative Day 46, 51, 52, 57, 59.
- 84 Introduced by Marshall: "A bill for an act fixing the compensation of sheriffs for the board of prisoners."
Legislative Day 47, 51, 54, 58, 59, 60.
- 85 Introduced by Taylor: "An act to amend an act entitled, 'An act for the better protection of live stock.'"
Legislative Day 47, 51, 52, 55, 57, 59.
- 86 Introduced by Muth: "An act to amend Section 292 of the Fifth Division of the Revised Statutes of Montana."
Legislative Day 47, 52, 54, 57, 58, 59, 60.
- 87 Introduced by Scobey: "A bill for an act to provide for the seizure and sale of trespassing swine."
Legislative Day 48, 52, 57, 59.
- 88 Introduced by Armstrong: "An act to amend Sections 585 and 594 of Chapter Twenty-two of the Fifth Division of the Revised Statutes."
Legislative Day 50, 51, 60.
- 89 Introduced by Armstrong: "An act to amend Section 319 of Chapter One of the First Division of the Revised Statutes."
Legislative Day 50, 52, 57, 58, 59, 60.
- 90 Introduced by Blake: "A bill for an act to provide for keeping the military stores."
Legislative Day 51, 55, 57, 58.
- 91 Introduced by Muth: "An act concerning prisoners in city jails."
Legislative Day 51, 58, 59.
- 92 Introduced by Muth: "A bill for an act concerning the registration of voters in incorporated cities and towns."
Legislative Day 51, 52, 57, 59, 60.

- 93 Introduced by White: "An act to amend Chapter LV of the Fifth Division of the Revised Statutes of the School Law of Montana."

Legislative Day 51, 53, 57, 58, 59, 60.

- 94 Introduced by Johnson: "A bill for an act to amend Sections 5, 6, 10, 11, 15, 18, and 19 of an act entitled, 'An act to suppress and prevent the dissemination of contagious and infectious diseases among domestic animals and Texas cattle,'" approved March 10, 1885 and to add Section 20 thereto."

Legislative Day 52, 53, 57, 58, 59.

- 95 Introduced by Page: "A bill for an act to amend Section 355, Title 10, Chapter 3, First Division, Revised Statutes of Montana."

Legislative Day 52, 55.

Substitute for H. B. No. 95.

Legislative Day 55, 59.

- 96 Introduced by Taylor: "For an act to repeal Section 806 of the Revised Statutes."

Legislative Day 52.

- 97 Introduced by Armstrong: "An act for the establishment of free libraries and reading rooms in incorporated cities in the Territory of Montana."

Legislative Day 53, 57, 58, 59.

- 98 Introduced by Blake: "A bill for an act to amend Sections 587, 589, 590 and 596 of the Code of Civil Procedure concerning eminent domain."

Legislative Day 53, 58, 59, 60.

- 99 Introduced by Kanouse: "A bill for an act creating a Territorial Board of Education."

Legislative Day 53, 57, 59, 60.

- 100 Introduced by Gorham: "A bill for an act to create the County of Cascade, to define its boundaries and to provide for its organization."

Legislative Day 53, 59.

- 101 Introduced by Marshall: "An act concerning mortgages on both real and personal property."

Legislative Day 54, 57, 59, 60.

- 102 Introduced by Johnson: A bill for an act to provide for the deposit of the public funds in banks."

Legislative Day 54, 57, 58, 59.

- 103 Introduced by Scobey: "An act to improve the efficiency, morality and general standing in railway train service and to further insure the safety of the traveling public."

Legislative Day 55, 58.

- 104 Introduced by Hanscomb: "An act providing for a Territorial Inspector of Boilers and Stationary Engines."

Legislative Day 55, 57, 59, 60.

- 105 Introduced by Mantle: "An act to authorize married women to transact business in their own names, as Sale Traders."

Legislative Day 57.

- 106 Introduced by Blake: "An act to provide for compiling, editing and indexing the general laws of the Territory of Montana in force at the adjournment of the Fifteenth Regular Session of the Legislative Assembly."

Legislative Day 57, 59, 60.

- 107 Introduced by Marshall: "An act to amend an act entitled, 'An act to establish and maintain a hospital for the insane.'"

Legislative Day 59, 60.

- 108 Introduced by Kanouse: "A bill for an act to provide for payment of stock killed by railroads."

Legislative Day 60.

HOUSE JOINT RESOLUTIONS

- 1 Introduced by Alderson: "Providing for the payment of printing, etc., not provided for by the general government."

Legislative Day 11, 12, 13, 15, 22, 25.

- 2 Introduced by Mantle: "For the relief of J. X. Beidler."

Legislative Day 24, 29, 33, 34, 36, 39, 40, 50.

- 3 Introduced by Committee on Ways and Means: "For the relief of Ansalet J. Davidson and Willaim N. Baldwin."

Legislative Day 36, 37, 55, 57.

- 4 Introduced by Committee on Ways and Means: "An act for the relief of Fisk Brothers."

Legislative Day 41, 52, 55, 57.

- 5 Introduced by Page: "Relating to the Official Map of Montana."

Legislative Day 47, 48, 53.

- 6 Introduced by Mantle: "Authorizing the purchase of office furniture, fixtures and supplies for the offices of the Governor and Secretary of Montana."

Legislative Day 50, 51, 55.

- 7 Introduced by Blake: "To compensate Chas. H. Snell for compiling and arranging the general and permanent laws of Montana Territory."

Legislative Day 51, 54, 57, 59, 60.

- 8 Introduced by Harwood: "To provide for the payment of telegraphing House Joint Memorial No. 5 to the delegate of Montana at Washington, D. C. and for other purposes."

Legislative Day 58, 59.

- 9 Introduced by Blake: "House Joint Resolution making appropriation for the Historical Society of Montana."

Legislative Day 58, 59, 60.

HOUSE JOINT MEMORIALS

- 1 Introduced by Committee on Public Lands: "Concerning the repeal of the Desert Land Act of March 3rd, 1877."

Legislative Day 8, 9, 10, 11, 12.

- 2 Introduced by Scobey: "Concerning the Ft. Buford Military Reservation."

Legislative Day 8, 10, 11, 12, 17, 19.

- 3 Introduced by Blake: "House Joint Memorial concerning the timber lands of the United States within the Territory of Montana."

Legislative Day 9, 10, 11, 12.

- 4 Introduced by Blake: "House Joint Memorial concerning the Act of Congress entitled, 'An act to prohibit the passage of local or special laws in the territories of the United States, to limit territorial indebtedness, and for other purposes,'" approved July 30, 1886.

Legislative Day 9, 10, 11, 12.

- 5 Introduced by Harwood: "House Joint Memorial concerning the Crow Indians."

Legislative Day 12, 15, 16.

- 6 Introduced by Page: "Relating to the extension of public surveys."

Legislative Day 13, 15, 16, 17, 26, 47.

- 7 Introduced by Alderson: "Memorializing Congress to appropriate money for the building of a wagon road from Cinabar to Cook City, Montana."

Legislative Day 19, 23, 27, 47, 50.

- 8 Introduced by Alderson: "Concerning the Fort Ellis Military Reservation."

Legislative Day 38, 39, 47, 50.

COUNCIL BILLS IN THE HOUSE

- 1 Introduced by Kennedy: "A bill for an act amending Section 529 of the Fifth Division of the Revised Statutes of Montana."

Legislative Day 47, 48, 52, 54.

- 3 Introduced by Kennedy: "Amending the Probate Practice Act, Section 55, Chapter 3, Second Division of the Revised Statutes of Montana."

Legislative Day 17, 19, 20, 22.

- 4 Introduced by Kennedy: "Requiring the publication of certain matters."

Legislative Day 22, 29, 39, 40, 45, 50, 51.

- 5 Introduced by Rickards: "A bill for an act providing for the transfer of certain records relating to the townsite of Butte City."

Legislative Day 26, 32, 57, 58.

- 6 Introduced by Thompson: "A bill for an act to amend Article One of Chapter XV of the Fifth Division of the Revised Statutes of Montana relating to corporations for industrial or production purposes."

Legislative Day 40, 47, 54.

- 9 Introduced by Kennedy: "A bill for an act to amend Section 1193, Fifth Division, Revised Statutes of Montana."

Legislative Day 18, 24, 25.

- 10 Introduced by Thompson: "Bill for an act concerning payment of jurors and witnesses in criminal cases in attendance upon the district and probate courts."

Legislative Day 19, 24, 25, 55, 57.

- 11 Introduced by Holliday: "An act to create the County of Park and for the election of officers thereof."

Legislative Day 18, 36, 40, 41.

- 12 Introduced by Kennedy: "An act providing for the posting of estrays in this Territory."

Legislative Day 38, 45, 52.

- 14 Introduced by Collins: "A bill for an act providing for the punishment of persons in the possession of stolen property in the Territory of Montana, having stolen the same in some other territory, state or country, and for the punishment of receivers of stolen property."

Legislative Day 22, 33, 39, 40.

- 15 Introduced by Kennedy: "An act in relation to fencing railroads and erection of cattle guards."
Legislative Day 50, 58, 59.
- 16 Introduced by Collins: "A bill for an act concerning banks and banking."
Legislative Day 36, 46, 52, 54, 55, 57.
- 18 Introduced by Cardwell: "A bill for an act in relation to fees of County Assessor."
Legislative Day 39, 41, 52.
- 20 Introduced by Sutherlin: "A bill for an act to amend Section 371 of the Fifth Division of the Revised Statutes."
Legislative Day 30, 32, 34.
- 21 Introduced by Kennedy: "An act to provide for a Territorial board of arbitration for the settlement of differences between employers and employees."
Legislative Day 38, 40, 41, 46.
- 22 Introduced by Sutherlin: "A bill for an act to encourage tree planting and arboriculture in Montana."
Legislative Day 37, 40, 41.
- 23 Introduced by Rickards: "A bill for an act to punish seduction."
Legislative Day 33, 34, 38.
- 24 Introduced by Rickards: "A bill for an act relating to the protection, employment and adoption of children."
Legislative Day 41, 48, 53, 54.
- 25 Introduced by Waters: "An act to provide for the erection of a Territorial prison and the custody and labor of territorial prisoners."
Legislative Day 45, 48, 53, 54.
- 26 Introduced by Committee on Judiciary: "A bill for an act to provide compensation for Samuel Snyder for certain services and to authorize the County Commissioners of the County of Fergus & Meagher to audit and allow the same."
Legislative Day 52, 54, 57, 58.
- 27 Introduced by Sutherlin: "A bill for an act to punish persons for making fraudulent pedigrees of live stock."
Legislative Day 38, 45, 52, 54.
- 29 Introduced by Committee on Mines & Minerals: "An act concerning records of mining locations."
Legislative Day 50, 54.

- 30 Introduced by Committee on Ways & Means: "A bill for an act to amend Sections 71, 77, 80 and 81 of the Fifth Division of the Revised Statutes of Montana. Increasing the salaries and funds of the Territorial Auditor and Treasurer."

Legislative Day 52, 53, 54.

- 31 Introduced by Rickards: "A bill for an act to authorize the changing the names of persons and places."

Legislative Day 47, 48, 52, 54.

- 32 Introduced by Rickards: "A bill for an act providing for the adoption of children."

Legislative Day 47, 48, 52, 54.

- 33 Introduced by Thompson: "A bill for an act relating to assessment and levy of taxes."

Legislative Day 54, 55, 57, 59.

- 34 Introduced by Rickards: "A bill for an act to amend Section 504 of the Fifth Division of Revised Statutes."

Legislative Day 45, 48, 51, 52.

- 36 Introduced by Collins: "A bill for an act to provide for the appointment and to prescribe the duties of a public examiner for the Territory of Montana."

Legislative Day 52, 53, 54, 55, 58, 59.

- 37 Introduced by Special Committee: "A bill for an act prohibiting the sale of intoxicating liquors within two miles of any railroad in process of construction."

Legislative Day 51, 52, 53, 57, 58, 59.

- 38 Introduced by Kennedy: "A bill for an act concerning marriage."

Legislative Day 52, 57, 58, 59.

- 39 Introduced by Rickards: "A bill for an act to regulate soliciting by persons requiring the payment of money in advance or the delivery to them of property at the time of taking an order."

Legislative Day 52, 54, 58.

- 41 Introduced by Sutherlin: "A bill for an act to amend Section 968 of the Fifth Division of the Revised Statutes."

Legislative Day 52, 54, 58.

- 42 Introduced by Collins: "A bill for an act to create the office of Attorney General to define his powers and duties and for other purposes."

Legislative Day 53, 55, 57.

- 43 Introduced by Rickards: "An act to amend an act entitled, 'An act to organize and regulate the military,'" Approved March 10, 1885.

Legislative Day 53, 55, 58, 59.

- 44 Introduced by Cardwell: "An act for the care and maintenance of orphan children."

Legislative Day 59, 60.

- 45 Introduced by Rickards: "A bill for an act relating to the formation of municipal corporations."

Legislative Day 51, 52, 53.

- 47 Introduced by Sutherlin: "A bill for an act to suppress and prevent the dissemination of scab and contagious diseases among sheep."

Legislative Day 51, 58, 59.

- 49 Introduced by Rickards: "A bill for an act to declare and protect the legal and personal identity of married women."

Legislative Day 48, 51, 52.

- 50 Introduced by Rickards: "A bill for an act to place the inmates of insane asylums under the protection of the laws by securing to them their postal rights."

Legislative Day 58, 51, 52.

- 51 Introduced by Hundley: "A bill for an act concerning expert witnesses and jurors."

Legislative Day 57.

- 52 Introduced by Collins: "A bill for an act to regulate the amount of costs of witnesses in criminal cases."

Legislative Day 53, 54, 57, 58.

- 53 Introduced by Rickards: "A bill for an act creating a Territorial Board of Medical Examiners, and defining their duties."

Legislative Day 55.

- 55 Introduced by Collins: "A bill for an act to amend Section 391 of the Fifth Division of the Revised Statutes of Montana in relation to duties of County Recorders."

Legislative Day 53, 54, 58.

- 56 Introduced by Cardwell: "A bill for an act to permanently fix and determine the boundary line of Jefferson County."

Legislative Day 52, 53, 54.

- 57 Introduced by Sutherlin: "A bill for an act to require the owners of barbed wire fences to keep the same in repair."

Legislative Day 55, 58, 59, 60.

- 58 Introduced by Collins: "An act authorizing the Governor to restore the rights of citizenship to discharged convicts."

Legislative Day 54.

- 59 Introduced by Rickards: "A bill for an act to punish seduction."

Legislative Day 54, 55, 58.

- 60 Introduced by Hundley: "A bill for an act to amend an act concerning inmates of public institutions."

Legislative Day 59, 60.

- 61 Introduced by Hickman: "A bill for an act to amend Section 192 of the Fourth Division of the Revised Statutes of Montana."

Legislative Day 59, 60.

- 62 Introduced by Waters: "An act to prevent persons from unlawfully using or wearing the badges of the Grand Army of the Republic, Knights of Labor or any other society in this Territory."

Legislative Day 59.

- 63 Introduced by Holliday: "A bill for an act defining the apportionment of members of the House of Representatives in the Counties of Meagher and Gallatin."

Legislative Day 60.

- 64 Introduced by Holliday: "An act to reimburse the sheriffs of the different counties of the Territory of Montana for the board of county prisoners."

Legislative Day 60.

- 65 Introduced by Collins: "An act to authorize the Commissioners of the County of Choteau to build jails at the towns of Choteau & Great Falls."

Legislative Day 60.

- 66 Introduced by Collins: "An act to authorize County Commissioners of the several counties to build jails or lockups."

Legislative Day 60.

- 67 Introduced by Hundley: "An act to authorize the Territorial Auditor to investigate claims made upon the fund for killing certain animals."

Legislative Day 60.

COUNCIL JOINT RESOLUTIONS IN THE HOUSE

- 1 Introduced by Collins: "Relating to the appointment of additional clerks."

Legislative Day 14.

- 2 Introduced by Hundley: "For the relief of George Bashaw, J. H. McFarland and Jno. O'Neill."

Legislative Day 9, 10, 12.

- 3 Introduced by Kennedy: "Providing for the printing of additional bills and for other printing."

Legislative Day 17, 24, 25.

- 4 Introduced by Committee on Indian Affairs: "For the relief of certain Cree Indians."

Legislative Day 18, 23.

- 5 Introduced by Sutherlin: "Providing for printing of the Governor's message and other documents."

Legislative Day 33, 37, 38.

- 6 Introduced by Hundley: "Joint Resolution authorizing the appointment of a committee to confer with the authorities of Dakota in relation to measures for the preventing and suppression of contagious diseases among live stock."

Legislative Day 30, 32.

- 7 Introduced by Collins: "To defray the expenses of telegraphing C.J.M. No. 2 to our delegate in Congress."

Legislative Day 32.

- 8 Introduced by Hundley: "To compensate D. H. Weston for services rendered the Territory."

Legislative Day 51, 54, 57.

- 10 Introduced by Pardee: "To defray the expenses of the Executive Department."

Legislative Day 54.

- 11 Introduced by Waters: "To provide compensation for Wm. Steel and F. R. Shaffer — Accountants."

Legislative Day 52, 53, 54.

- 12 Introduced by Sutherlin: "To authorize the employment of additional clerks for the enrollment of bills."

Legislative Day 54, 55.

- 13 Introduced by Waters: "An act for the relief of Farragut Post No. 7, G.A.R."

Legislative Day 57.

- 14 Introduced by Cardwell: "To defray the expenses of the joint committee visiting the penitentiary and the Territorial Insane Asylum and for other purposes."

Legislative Day 57.

- 15 Introduced by Kennedy: "Instructing the Secretary of the Territory to omit the publication of a certain alleged law relating to the protection of game."

Legislative Day 59, 60.

COUNCIL JOINT MEMORIALS IN THE HOUSE

- 1 Introduced by Holliday: "Asking for an appropriation for the Yellowstone National Park."

Legislative Day 32, 37, 38, 40, 41.

- 2 Introduced by Collins: "Asking that the office of U.S. Surveyor General in the Territories be not abolished."

Legislative Day 30.

- 3 Introduced by Cardwell: "Relative to Pioneer Settlers of the Yellowstone National Park."

Legislative Day 33, 37, 38, 41.

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SPECIAL SESSION

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CB	Council Bill
HJR	House Joint Resolution
CJR	Council Joint Resolution
CJM	Council Joint Memorial

ALIEN LAND LAW

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ARBORICULTURE

Tree planting, etc.—CB 19

ATTORNEY GENERAL

Creation of office in Territory—HB 6

AUDITOR, TERRITORIAL

Increasing salary and bond of—HB 25

BOUNTY

For killing wild animals—HB 19

To repeal—HB 39, CB 6

CASCADE COUNTY

Creation of and defining boundaries of—CB 3

CITIES AND TOWNS

Indebtedness—HB 12

Formation of Municipal Corporations—HB 13

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Police Magistrate—HB 5

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CORPORATIONS

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COUNTY OR COUNTIES

Erection of Court Houses—CB 24

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COURT

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COURT HOUSES

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DISEASES

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FERGUS COUNTY

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GALLATIN COUNTY

Apportioning of members of Legislative Council—CB 2

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GAMBLING

Regulating—HB 18

GUN POWDER

Storage of—CB 5

HOSPITAL

For the Insane—HB 1

INDEBTEDNESS

Enabling cities to incur—HB 12

INSANE

Hospital for—HB 1

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LEGISLATIVE COUNCIL

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LICENSES

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LIENS

Mechanics and others—HB 9

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Amendment concerning—CB 10

MEAGHER COUNTY

Apportioning of members of Legislative Council—CB 2

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MINING

- Establishing the Commissioner of Mines—HB 16
- District Recorders—HB 26

PARK COUNTY

- Apportioning of members of Legislative Council—CB 2
- Transferring certain records from Gallatin County—CB 11

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- In incorporated cities and towns—HB 34

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- Concerning office of—HB 5

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- Condemnation of lands for—HB 11
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- Assessment and levy of taxes—HB 2

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- Amendment concerning—HB 27

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- Text Book Commission—HB 15

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- Diseases among—CB 8

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- Boundary lines of—HB 38

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TREASURER, COUNTY

- Providing for Deputy and fixing of compensation for—HB 31

TREASURER, TERRITORIAL

- Increasing salary and bond of—HB 25

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- Bounty for killing—HB 19
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- 1 Introduced by Blake: "A bill for an act to establish and maintain a hospital for the insane."
Legislative Day 2, 13, 15, 16.
- 2 Introduced by Committee on Ways and Means: "A bill for an act to provide for the assessment and levy of taxes."
Legislative Day 2, 10, 11, 15.
- 3 Introduced by Mantle: "A bill for an act to amend Section 594 of Chapter 22 of the Fifth Division of the revised Statutes."
Legislative Day 2, 4, 5, 6, 16, 17.
- 4 Introduced by Marshall: "A bill for an act to regulate trial practice in District Courts relative to instructions."
Legislative Day 3, 4, 5, 10, 16, 17.
- 5 Introduced by Muth: "A bill for an act concerning the office of Police Magistrate in incorporated cities."
Legislative Day 3, 4.
- 6 Introduced by Buskett: "A bill for an act to create the office of Attorney General of Montana Territory."
Legislative Day 3, 4, 5, 6, 16, 17.
- 7 Introduced by Alderson: "A bill for an act defining the qualifications of voters in incorporated towns and cities."
Legislative Day 3, 4, 5, 10, 11, 12.
- 8 Introduced by Kanouse: "A bill for an act to amend an act entitled 'An act concerning licenses,'" approved March 10, 1887.
Legislative Day 3, 5, 6, 8, 15, 16, 17.
- 9 Introduced by Mantle: "A bill for an act to amend an act relating to liens of mechanics and others," approved March 9, 1887.
Legislative Day 4, 8, 10, 11, 16, 17.
- 10 Introduced by Toole: "An act to apportion the members of the House of Representatives of the Territory of Montana."
Legislative Day 4, 8, 10, 11.

- 11 Introduced by Marshall: "A bill for an act to provide for the condemnation of lands for railroad purposes."

Legislative Day 5, 9, 10, 11, 12.

- 12 Introduced by Muth: "A bill for an act to enable certain cities to incur indebtedness."

Legislative Day 5, 10, 11, 12, 13, 16, 17.

- 13 Introduced by Mantle: "A bill for an act to amend an act relating to the formation of municipal corporations," approved March 10, 1884.

Legislative Day 5, 6, 8, 9, 16, 17.

- 14 Introduced by Taylor: "A bill for an act concerning the terms of County Assessors."

Legislative Day 6, 8, 10, 11, 16, 17.

- 15 Introduced by White: "A bill for an act concerning the School Text Book Commission."

Legislative Day 6, 10, 11.

- 16 Introduced by Hanscomb: "A bill for an act to establish the office of Commissioner of Mines."

Legislative Day 6, 10, 11.

- 17 Introduced by Mantle: "A bill for an act to repeal an act to prevent the sale of intoxicants."

Legislative Day 6, 10, 11, 16, 17.

- 18 Introduced by Mantle: "A bill for an act to amend an act to regulate gambling," approved March 9, 1887.

Legislative Day 6, 10, 11, 12, 13.

- 19 Introduced by Committee of the Whole: "A bill for an act concerning the bounty for killing certain wild animals."

Legislative Day 8, 9, 15, 16, 17.

- 20 Introduced by Marshall: "An act to amend an act entitled 'An act requiring the publication of certain matters,'" approved March 10, 1887.

Legislative Day 8, 9, 10, 11.

- 21 Introduced by Judicial Committee: "An act appropriating money to aid in the codification of the laws of the Territory of Montana."

Legislative Day 9, 10, 11.

- 22 Introduced by Taylor: "A bill to prevent running cattle and horses with dogs."

Legislative Day 9.

- 23 Introduced by Committee on Grazing & Stock Growing: "An act to amend Section 285 of the 4th Division of the compiled Statutes of Montana."

Legislative Day 9, 10, 12, 13.

- 24 Introduced by Committee on Grazing & Stock Growing: "An act to amend Section 172 of the Fifth Division of the compiled Statutes of Montana."

Legislative Day 9, 10, 11, 12, 16, 17.

- 25 Introduced by Muth: "A bill for an act to amend an act entitled 'An act to amend Sections 71-77-80 and 81 of the Fifth Division of the Revised Statutes of Montana increasing the salaries and bonds of the Territorial Auditor and Treasurer,'" approved March 5, 1887.

Legislative Day 9, 10, 16.

- 26 Introduced by Marshall: "An act authorizing the appointment of deputy clerks and recorders in mining districts."

Legislative Day 9, 12, 13, 15.

- 27 Introduced by Mantle: "A bill for an act to amend an act concerning roads and highways," approved March 9, 1887.

Legislative Day 9, 15, 16.

- 28 Introduced by Mantle: "A bill for an act entitled 'An act relating to the registration and qualifications of voters.'"

Legislative Day 9, 12, 13.

- 29 Introduced by Buskett: "An act to provide for a Territorial penitentiary."

Legislative Day 10, 11.

- 30 Introduced by Alderson: "A bill for an act concerning irrigation and water rights."

Legislative Day 10, 12, 13.

- 31 Introduced by Muth: "A bill for an act to amend an act entitled 'An act to provide for Deputy County Treasurers and to fix their compensation,'" approved February 18, 1887.

Legislative Day 10, 12, 13.

- 32 Introduced by Taylor: "A bill for an act to amend Section 253 Second Division of the compiled Laws of Montana."

Legislative Day 12, 15, 17.

- 33 Introduced by Kanouse: "A bill for an act to repeal Section 10 of an act entitled 'An act to create the County of Fergus and for the election of officers thereof.'"

Legislative Day 12, 13.

- 34 Introduced by Harwood: "A bill for an act relating to party walls in incorporated cities and towns."

Legislative Day 13, 15, 16.

- 35 Introduced by (Unknown): "An act to amend Section 3 of an act to protect fur bearing animals and fish," approved March 8, 1883.

Legislative Day 13, 15.

- 36 Introduced by Committee on Military Affairs: "An act to establish the Flag of Montana."

Legislative Day 15.

- 37 Introduced by Committee on Military Affairs: "A bill for an act regulating the Militia."

Legislative Day 15, 17.

- 38 Introduced by Mantle: "A bill for an act to define the boundary lines of Silver Bow County."

Legislative Day 16.

- 39 Introduced by Newhall: "A bill for an act to repeal all laws relating to the payment of bounty for killing wild animals."

Legislative Day 17.

HOUSE JOINT RESOLUTIONS

- 1 Introduced by Harwood: "To provide for certain printing."

Legislative Day 3.

COUNCIL BILLS IN THE HOUSE

- 1 Introduced by Rickards: "An act to punish interference with railroad tracks."

Legislative Day 6, 9, 10.

- 2 Introduced by Holliday: "An act to apportion members of the Legislative Council to the Counties of Meagher, Fergus, Gallatin and Park."

Legislative Day 6, 10, 11, 12.

- 3 Introduced by Collins: "A bill for an act to create the County of Cascade to define its boundaries and to provide for its organization."

Legislative Day 6, 11, 12.

- 4 Introduced by Hundley: "A bill for an act to define disturbance of the peace."

Legislative Day 8, 9, 10.

- 5 Introduced by Rickards: "A bill for an act to amend an act relating to the storage of gun powder," approved March 31, 1883.

Legislative Day 8, 10, 12.

- 6 Introduced by Burleigh: "A bill for an act to repeal an act relative to bounty for killing certain animals," approved March 5, 1887.

Legislative Day 12.

- 8 Introduced by Sutherlin: "A bill for an act to amend an act entitled, 'An act to suppress and prevent the dissemination of Scab and infectious diseases among sheep,'" approved March 10, 1887.

Legislative Day 15, 16.

- 10 Introduced by Kennedy: "A bill for an act amending an act entitled, 'An act concerning marriages,'" approved March 9, 1887.

Legislative Day 12, 13, 15.

- 11 Introduced by Holliday: "A bill for an act transferring certain records from Gallatin County to Park County."

Legislative Day 12, 13, 15.

- 16 Introduced by Burleigh: "A bill for an act relating to motions for new trials."

Legislative Day 16.

- 17 Introduced by Burleigh: "A bill for an act to amend an act authorizing the appointment of stenographers by the District Court," approved March 10, 1887.

Legislative Day 13, 15, 16.

- 19 Introduced by Sutherlin: "A bill for an act to amend an act entitled, 'An act to encourage tree planting and arboriculture in Montana,'" approved February 28, 1887.

Legislative Day 12, 13, 15.

- 20 Introduced by Sutherlin: "A bill for an act to regulate appeals from Probate and Justice Courts."

Legislative Day 16.

- 24 Introduced by Cardwell: "A bill for an act to enable counties to erect Court Houses."

Legislative Day 15, 16.

- 28 Introduced by Collins: "A bill for an act relating to County Attorneys."

Legislative Day 17.

COUNCIL JOINT RESOLUTIONS IN THE HOUSE

- 1 Introduced by Kennedy: "Providing for extra clerks for Council and House and compensation therefor."

Legislative Day 1.

COUNCIL JOINT MEMORIALS IN THE HOUSE

- 1 Introduced by Pardee: "Council Joint Memorial praying for an amendment of Alien Land Law."

Legislative Day 16.

- 2 Introduced by Pardee: "Praying for the passage of an Act of Congress increasing the number of members of the Legislative Assembly of Montana."

Legislative Day 15.

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